File Copy

Volume No. 25

Royal Commission on Crime,

Thursday May 17/62.

P.P. - 5130 —— 5309.

IN THE SUPREME COURT OF ONTARIO

BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton, in the
County of Hastings, Deceased, and
WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, FRED A. LITTLE and
FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton,
in the County of Hastings, Deceased,
and WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, OLIVE RUSSELL LITTLE,
Executrix of the Estate of
Fred A. Little, and FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE ATTORNEY GENERAL OF CANADA,

Plaintiff,

- and -

HENRY POSTMA, FRED A LITTLE and
FREDERICK H. LITTLE,

Defendants.

A/1/FL

THURSDAY, MAY 17TH, 1962

---On resuming at 10:08 o'clock a.m.

ROBERT J. WRIGHT, resumed the stand

THE COMMISSIONER: You are still under oath?

A. Yes, your lordship.

EXAMINATION BY MR. WILSON (Cont'd):

Q. The $1,500 that you say you got from the cashing of your bonds in one-hundred dollar bills, what disposition did you make of that money?

A. What disposition?

Q. Yes.

THE COMMISSIONER: Q. You heard the question.

MR. WILSON: Q. Do you know what "disposition" means?

A. Yes. You mean, how did I dispose of the money?

THE COMMISSIONER: Q. Yes.

A. I paid it to Constable Scott.

MR. WILSON: Q. Each one of these bills were paid over to Constable Scott, were they not?

A. Not each one. There was $600 I

THURSDAY, MAY 17TH, 1962

---Co resuming at 10:05 o'clock a.m.

MONTEL L. WILSON, resumed the stand

THE CONSTABLE: You are still under oath.

A. Yes, your Lordship.

EXAMINATION BY MR. WILSON (Continued):

Q. The $1,300 that you may win or get from the cashing of your bonds in one-hundred dollar bills, was disposition did you make of that money?

A. Have deposited.

Q. Yes.

THE CONSTABLE: Q. You heard the question.

MR. WILSON: Q. Do you know what "disposition" means?

A. Yes. You mean, how did I dispose of the money?

THE CONSTABLE: Q. Yes.

A. I made it to Cuestalia Sports.

MR. WILSON: Q. Each one of those bills was paid over to Cuestalia Sports, was they not?

A. Not each one. There was $500 I

paid over to Constable Scott.

Q. What did you do with the rest of the money?

A. I had some money I had -- I had some money at home, I had funds I was going to purchase a car, and I put this money all together and I believe it was the third payment I paid to Constable Scott, and I would take the money out of this wallet I had and give it to Constable Scott and, then, I would go back to my notes and check off the ones I had given him. And, then, after I had given him this $400 it turned out there that I had given him some money I had saved for the car.

THE COMMISSIONER: All very confusing.

MR. WILSON: Q. What was the total amount you paid to Scott?

A. I believe it was $1,002.

Q. You say $600 of that was represented by hundred dollar bills which you had obtained from the bank at the time of the sale of the bonds?

A. Yes.

Q. And the other $400 came from savings?

A. Yes.

THE COMMISSIONER: Just a moment. He has not yet answered your question.

Q. You got $1,500, you say, from the

bank?

A. Yes, sir.

Q. Now, Mr. Wilson wants to know what you used it for.

A. I used it for my investigation.

Q. How much of it?

A. $600 of it, plus money I used on telephone calls.

Q. Yes?

A. And $2 I paid to Constable Scott.

Q. That left, roughly, $900?

A. Yes, sir.

Q. And what did you do with that?

A. I purchased a car, sir.

MR. WILSON: Q. And when did you purchase the car?

A. I couldn't give you the exact date --

Q. What month?

A. It was in April.

Q. April of 1960?

A. Yes, sir.

Q. And how much did you pay for it?

A. $1,500.

Q. And you paid in cash?

A. Yes, I did.

Q. So, what was the -- Where did you get the rest of the cash to make up the $1,500?

A. Well, it was money I had saved

and which I had in the house.

Q. Did you have a bank account at this time?

A. Yes, I did.

Q. From, say, February through to May of 1960?

A. Yes, I did.

Q. At what bank?

A. Bank of Nova Scotia.

Q. What branch?

A. Broadview and Gerrard.

Q. Was it a savings account?

A. Yes, it was.

Q. And what was the number?

A. 5565.

THE COMMISSIONER: Q. Where was it?

A. Bank of Nova Scotia.

Q. Where?

A. Broadview and Gerrard Branch.

MR. WILSON: Q. And did any of the moneys for either payments you made to Scott or the purchase of the car pass through that account?

A. No, sir. No, sir.

Q. How much were your monthly telephone bills running in February through to April?

A. I am only guessing now but I believe when I was arrested and my apartment was searched there was a record there that

Inspector --

Q. What is your recollection?

A. About $25 a month.

Q. About $25 a month. We have dealt with your first meetings with Scott, and you have, I think, a copy of the Scott diary or reports.

Would you give it back to the witness, please.

I think we were dealing with the various items under date of February 5th, which forms part of Exhibit 61, and we are down to 11. Item 11.

THE COMMISSIONER: You dealt with that.

MR. WILSON: Did we deal with 11?

THE COMMISSIONER: I think you had finished it.

MR. WILSON: Q. Then, turning to the notations under date of February the 7th --

THE COMMISSIONER: Well, there is another paragraph there under date of February the 5th, you did not deal with that.

MR. WILSON: Yes. I was not quite sure where we cut off here.

Q. The concluding paragraph there under date of February the 5th. Did you ask him to keep the matters that were discussed between you on that date secret?

A. Yes, I did. That is the usual thing on undercover investigations.

Q. And you parted that day and he had not made up his mind whether he was going to join with you in this enterprise?

A. He said he wanted to think it over for a while. That is correct, sir.

Q. Now, coming to the next reference in the Scott reports, under date of February the 7th. Did you, he says, call him at his home on the telephone?

A. Yes, I did, sir.

Q. And, then, he says that on that occasion you made these statements. One, "That guy I told you about called me on Saturday and said that he would be down to see me in Belleville sometime next week". Did you make that statement?

A. Yes, I did, sir.

Q. And, two, "When speaking to him I practically accepted the deal on a trial basis". Now, did he, in fact, indicate that he would accept it on a trial basis?

THE COMMISSIONER: Who?

MR. WILSON: Well, this, I take it, to be Scott speaking, or it may well be that it is Wright speaking.

Q. Did you make a statement to that effect?

A. I believe he did. He said he would -- the deal would be okay if just two gaming houses were involved and not any betting

houses.

THE COMMISSIONER: Just a moment.

Q. It would be okay if what?

A. If just the two gaming houses were involved and not any betting houses.

MR. WILSON: Q. Then, item --

THE COMMISSIONER: Just a moment, please.

Q. See if I have taken it down correctly: Scott said to you it would be okay if just the two gaming houses were involved and not any betting houses?

A. Yes.

Q. What two gaming houses?

A. The Ramsay Club and the Vets Club.

Q. Yes.

MR. WILSON: Q. Then, item 3 under date of February the 7th --

THE COMMISSIONER: Two. I beg your pardon.

MR. WILSON: 3, I think.

THE COMMISSIONER: Yes.

MR. WILSON: Q. Did you make the statement he quotes, "Now don't you go to Kennedy with this"?

A. No, he told me that. He told me not to go to Assistant Commissioner Kennedy with that.

Q. Then, 4, which says here, "I will try and get some money from the guy". Did you make that statement?

A. Yes, I did, sir.

Q. You had not, of course, told him who the guy was?

A. No, sir.

Q. At this point.

A. There was no guy. It was just a point I was trying to sell Constable Scott on, there was a man.

Q. Then, 5, "I will phone you some evening during next week"?

A. Yes, sir.

Q. And at the end of that conversation --

THE COMMISSIONER: Q. Who said that?

A. I don't recall whether I said that or whether he said that, but we agreed to call each other from time to time.

MR. WILSON: Q. At the end of your meeting on that date, did he say he would think it over until the following weekend?

A. I never made a note of it. He could have said that, yes.

Q. Then, coming to February the 10th in Exhibit 61. Did you call him on the telephone on that date?

A/2 A. Yes, sir, I did.

Q. And, then, he enumerates certain things that he says you said on that occasion. One, "Well, I seen that guy". Did you make that statement?

A. Yes, I told him that.

Q. Two, "I got some money out of him, $400". Did you make that statement?

A. Yes, I did, sir.

Q. Three, did you say, "What is going on?"?

A. I could have said that. I didn't make a note of it. I could have said that. It was just a figure of speech, more or less.

Q. What are you following, a copy of your diary?

A. Yes, sir.

MR. WILSON: I think we had better mark that as an exhibit because there will be certain comparisons made later on, Mr. Commissioner.

THE COMMISSIONER: Q. Have you got your diary there?

A. This is a copy, sir. The diary is in the Supreme Court.

THE REGISTRAR: 157.

MR. BREWIN: Where is the original?

THE COMMISSIONER: It is filed in the records of his trial.

MR. BREWIN: Will it be available here? This is a copy; it is not in his handwriting.

MR. WILSON: I think we should have the original at some stage, Mr. Commissioner.

THE COMMISSIONER: I suppose we can get that later. It will be down at

Osgoode Hall, will it not?

MR. EWEWIN: In the Court of Appeal, I suppose.

THE COMMISSIONER: After the appeal.

Exhibit 157.

---EXHIBIT NO. 157: Copy of R.J. Wright's diary.

THE COMMISSIONER: Just a moment.

I want to rise for about ten minutes.

---Short recess.

(Page 5145 follows)

1/D.O'N

---Upon resuming.

MR. WILSON: Q. There are not any, or are there, any notes written on this?

A. Yes, there might be some.

Q. There are quite a few?

A. That Mr. Hartt would - - -

THE COMMISSIONER: Q. What?

A. Mr. Hartt. This is a copy of the diary that he had at the time of the trial.

MR. WILSON: I think, Mr. Commissioner, we will get a clean copy, replace the exhibit with a clean copy. For the moment we will carry on.

THE COMMISSIONER: Mr. Hogg?

MR. HOGG: Mr. Commissioner, so far as this witness's notes are concerned, that he has been referring to, I asked Mr. Carty yesterday whether it would be possible to have here at some time the original notebook that this witness is referring to. I realize this is not a trial, but I was wondering, before he was referring to his notes that he is alleged to have made in this book, the circumstances surrounding the writing of these notes should be gone into.

THE COMMISSIONER: That is up to Mr. Wilson.

MR. WILSON: Q. We are dealing with February the 10th, and we are dealing with Item No. 3. Did you make the statement?

THE COMMISSIONER: What about Item 2? Did you ask him about that? "I got some money out of him, $400."

MR.WILSON: I think we dealt with that.

Q. I think your answer was that you said "Yes", you did?

A. Yes.

Q. Now, the third item. When did you ask him: "what is going on"?

A. I could have. We used to say that back and forth to each other. Just more or less a figure of speech.

Q. And then 4, did you say to him: "I heard about that raid in Niagara Falls. What was it, a nuisance raid?"

A. I have made no note of it, but I do recall I told him I had heard of them.

Q. Now, you were in - - -

THE COMMISSIONER: Just a moment. What was your answer?

A. I say, I could have said that. I had heard about Niagara Falls. "What was it? A nuisance raid?" We often used to refer to these raids on the clubs as nuisance raids, in the squad.

MR. WILSON: Q. Now, where would you hear about the raid in Niagara Falls?

A. From Mr. McDermott.

Q. And under what circumstances did he tell you about the raid? It was just

a couple of days earlier than this meeting or this conversation of February 10th?

A. Yes. Well, I used to call Mr. McDermott periodically, day after day and sometimes there would be a few days in between. Sometimes I called him before I talked to Scott, and sometimes I called him after I talked to Scott.

Q. This was all part of your program to get Mr. McDermott interested?

A. Yes sir, it was.

Q. You say prior to February 10th, McDermott had told you about a raid earlier that week?

A. Yes sir.

Q. At the Ramsay Club in Niagara Falls?

A. Yes sir.

Q. And that was the club that you said yesterday you didn't know much about?

A. You see - - -

THE COMMISSIONER: Just answer the question. You didn't put it in the form of a question.

MR. WILSON: Q. Well, it is clear, as of February 10th, 1960, you knew all about the operation of the Ramsay Club in Niagara Falls?

A. The one that I had raided in 1958, yes sir.

Q. Oh, no, you are not talking -- when you said you had heard about the raid in Niagara Falls on February 10th, in this telephone conversation, you were not talking about the club you had raided at the address you had raided on August 18th, 1958?

A. No.

Q. And you know it?

A. No. I was referring to the Ramsay Club that had moved.

Q. Yes.

A. Yes.

Q. And you knew, as of February 10th, 1960, that McDermott had an interest in it?

A. I suspected he had an interest in it, yes.

Q. And he told you that there had been a raid earlier that week?

A. Yes, he did.

Q. Yes, and at that stage, at that point, had you and McDermott come to some arrangement?

A. We came to no arrangement at any time, sir.

Q. Was he the guy you were talking about earlier in this conversation of February 10th?

A. No. When I refer to a guy, when I say "guy", he didn't even exist.

That was something I had made up.

Q. Yes. Now Item 5 of February 10th.

"I don't want to discuss too "much over the phone. You can "appreciate that. What about the "people upstairs. My phone is "an extension, the main set "being located upstairs from "where I live. You can't tell. "You know the operator might be "listening."

Now, did you make that statement to Scott on that occasion?

A. Yes sir, I did.

Q. And 6:

"I am in a booth here. The door "is frozen open and I can't hear "too well."

Did you make that statement?

A. Yes, I would have made that statement, yes. I haven't made a note of it.

Q. And at the end of that conversation, I take it you still hadn't made definite arrangements with Scott as to how your joint enterprise was going to be operating?

THE COMMISSIONER: Well, is that so or not?

A. I am just trying to check and

see. I believe an agreement that was between Scott and I, just seemed to come. I mean - - -

Q. You haven't yet answered the question?

A. Would you repeat the questions again, sir, then?

MR. WILSON: Q. Had you come to some agreement with Scott, whereby the two of you were going to pass on information to these gamblers as of February 10th, at the end of that conversation?

A. I would say yes, we had. He was quite interested when I had told him I had some money.

Q. You say you had not made any arrangement with McDermott or anybody else?

A. No sir.

Q. That was just all fiction?

A. That is correct, sir.

Q. And yet you were talking to McDermott from day to day?

A. Yes sir.

Q. And afterthis conversation you had with Scott on February 10th, didyou then phone and report to McDermott?

A. No, sir.

Q. You didn't?

A. No sir.

Q. Did you phone him that day at all?

A. I would only be guessing, sir. I could have. I don't know if I did or not.

Q. Well, it would be a natural thing for you to call him and report developments, wouldn't it?

A. No, because he was under the impression that I was on the squad. That I am the one that wanted to give him information. That is what I told him.

Q. Oh no, as of February 10th, did McDermott still think you were on the squad?

A. Yes, to my knowledge, he did.

THE COMMISSIONER: Q. You told us yesterday that he had told you not to kid him, that he knew you weren't on the squad, that you were down at Belleville?

A. Yes sir. That was sometime later when he had finally confronted me I wasn't on the squad. It happened one time when there was a raid and he said to me that: "If you know so much of what is going on, how come they raided this place down in Niagara Falls."

MR. WILSON: Q. On February 10th, he knew you were stationed at Belleville?

A. No, sir, I do not believe he did. It was sometime after I was talking to him.

Q. You were calling him from day

B/2

to day from Belleville?

A. Not every day, sir.

Q. Well, just about every day?

A. Yes, quite frequently.

Q. And are you suggesting on February 10th, he didn't know you had been transferred to Belleville?

A. If he did know, he didn't tell me he did know.

Q. Now, had you had any dealings with McDermott before you moved - I mean, apart from telephone conversations, had you ever passed any information on to him before you moved to Belleville?

A. No sir, never.

Q. To your knowledge, did Scott ever pass any information on to McDermott or any other gambler prior to this arrangement that you set up with him?

A. No sir.

Q. So that you were in the course of your investigation, going to set out to corrupt Constable Scott; is that the idea?

A. No sir, that is not the - - that was not my point in the investigation at all. I didn't want to corrupt anyone.

Q. What was the point? If you had no knowledge of Scott ever having done anything up to this date?

A. Because I was suspicious of

members of the squad and other members in our department.

Q. You knew there would be a limited group that was to be interested in the services you were going to supply; isn't that right?

A. I knew there would be which?

Q. Only a few gaming places that would want information and would be prepared to pay for it?

A. I would say any gambling organization would gladly accept information.

Q. Well then, your scheme - - what gambling organization did you think were going to be prepared to pay for the information Scott and yourself were going to be able to make available to them?

A. I was interested in the two clubs. The Vets Club and the Ramsay Club.

Q. What other clubs did you think you could sell your services to?

A. No other clubs, sir.

Q. I say, therefore, there was a very limited market, wasn't there?

A. Yes, at that time, yes, it was.

Q. And did you ever get anything which would enable you to say that Scott had ever been -- or done any corrupt act prior to his entanglement with you?

A. Did I ever get - -
would you repeat that again?

Q. You said you were suspicious of Scott before you set up this deal with him?

A. That is correct, sir.

Q. Now, in your association with him, did you ever get any facts which suggested to you that he had ever done anything of this kind prior to this meeting with you and these arrangements that were entered into in February, 1960?

A. No sir. That is what I was investigating, to find out if there was any facts he had.

Q. So you found he hadn't been corrupt prior to this time?

A. I hadn't investigated him prior to this time. I don't know.

Q. As I follow you, you say as a result of your dealings with him, you didn't find out any facts which would suggest he had ever done anything of this kind before?

A. No sir.

Q. No. As a result of your investigations and dealings with Scott, did you find out anything to suggest that any other member of the Anti-Gambling Squad, that you had formerly associated with, had been corrupt?

A. No sir, no more than suspicions.

Q. And then when you got through to the end of your diary, and your last entry is April 22nd, was that the end of your investigation as far as Scott was concerned?

A. No sir, but it wascoming to an end then.

Q. It was coming to an end?

A. Yes sir.

Q. What was the conclusion that you had arrived at, so far as Scott is concerned? That you had successfully corrupted him?

A. No sir. I don't understand when you say "successfully corrupted him", because I did not intend to corrupt him. That wasn't my intention at all in this investigation.

Q. I see. What conclusion had you arrived at, as to Scott, by April 22nd?

A. I thought it was either he was in with McDermott and he wasn't going to tell me he was in with McDermott, or in with Sylvester, or he could have been honest and not taken any graft at all.

Q. By this time you had given him McDermott's number. You knew he was contacting McDermott direct?

A. Yes, he told me he was phoning direct.

Q. Now, prior to April 22nd, you had numerous meetings and numerous telephone calls with Scott, where he either said there won't be a raid or there will be a raid; isn't that right?

A. Well, no, we had social meetings just as well.

THE COMMISSIONER: Now, now.

MR.WILSON: Q. I know you had social meetings. Isay you had meetings, face to face, but during this period from February 10th to April 22nd, a great number of telephone calls passed between you?

A. Yes, there was some.

Q. And in these conversations he either told you there was going to be a raid or there wasn't going to be a raid that night or the next day or two?

A. In every conversation, sir?

Q. Not every conversation, but practically every conversation?

A. The only time that we had actually discussed was when there was going to be a raid. If there was going to be a raid, he would tell me - - - -

Q. And the two of you worked out a code, didn't you?

A. Yes sir, we did.

Q. But What was the code you worked out?

THE COMMISSIONER: Oh, you don't need to refer to your notes. You have a good memory.

THE WITNESS: Sir, I have not a very good memory.

MR. WILSON: Q. Well, you don't need to look that up. Tell us what the code was. There were two clubs involved and if there was going to be a raid at the Cooksville Club, what was the code? I suggest to you it was "south"?

A. If I was raiding - - -

Q. "North"?

A. Yes. I am not going to swear to that, sir, until I look and see.

Q. Haveyou got something there to clarify it?

A. Yes.

THE COMMISSIONER: Well, we are taking too much time. Suggest what the code was.

MR. WILSON: Q. I suggest the code was "north" when it was a raid on the Cooksville Club, and "south" when it was goingto be a raid on the Ramsay Club. Isn't that right?

A. Yes, it could have been. It was either one or the other. One was north and one was south, or the other was south and the other was north.

Q. And then you had another code

word. "Joe". What was that?

A. Joe?

Q. "Joe calling"?

A. No sir, I don't recall that.

Q. You don't recall "Joe"?

A. I don't recall any "Joe calling".

Q. Now, all these telephone conversations where he passed on - - either you phoned him or he phoned you and there was a discussion - - --

THE COMMISSIONER: Now what are you talking about?

MR. WILSON: I am talking about Scott.

Q. Either Scott phoned you or you phoned Scott, and he said, either that there was going to be a raid or there was not going to be a raid. Did you, in every instance, thenphone that information to McDermott?

B/3

A. No sir.

Q. Isn't it a fact that every time you had a telephone conversation with Scott, where any information of that kind was relayed to you, you put a call in to McDermott?

A. Yes - - not every time, but quite a few times I would call him. And the reason I called him was to see if he would

tell me that he had heard that there was going to be a raid. In fact he did a couple of times and I never even mentioned anything to him about it.

Q. You are now saying, while you may have called McDermott every time you got any information as to whether there was going to be a raid or not a raid, from Scott, that you would phone up McDermott to see whether or not he had that information?

A. That was my idea, sir.

Q. That was your idea?

THE COMMISSIONER: Q. Is that what you did?

A. That is what I did, yes sir.

MR. WILSON: So you were just checking to see whether or not McDermott knew?

A. That is correct, sir.

Q. On how many instances, over that period February 10th to April 22nd, did you find McDermott did know about a raid or there wouldn't be a raid?

A. I can recall at least one and there might have been more.

Q. You can recall at least one and there might have been more. What occasion was that?

A. If I could - - I believe I have a note of it here. Rather than say - - I would say that there was at least one.

Q. On what date? What was the occasion?

A. I don't think I have a note of it at the time, sir.

THE COMMISSIONER: Q. What was there about it that impressed it on your mind?

A. They were discussing, and he said to me, they are discussing gambling, and we are discussing the club out there, and he was telling me how it was dying a slow death, and along those lines, and he said: "You don't know tooomuch because I understand they are going to be raided to-night." And I was shocked that he had this information at this time.

Q. Is that all that was said that impressed that so ~~xxxxx~~ indelibly on your mind?

A. Yes, that is all that was said about that.

MR. WILSON: Q. Well, I just want to understand just the way it worked. Scott would call you and say: "There is going to be a raid at the Ramsay Club tonight." And then you would call up McDermott and you would say: "Well, there is going to be a raid at the Ramsay Club tonight. Do you know about it?"

A. No sir. No sir. I never said that at all. I wouldn't tell him if I

knew there was going to be a raid.

Q. Tell us exactly what you did each time after you got the information from Scott?

A. I wrote it in my book.

Q. I am talking about the calls you then made to McDermott. What did you say to McDermott?

A. I would phone him and tell him who I was, and he would say: "How are you?", and say: "Just a minute, wait until I take these maps out of the way." I would say: "What maps", and he would say: "Mining maps. We are in the mining business." And he would say: "What is on your mind today?". I would say: "Oh, not much. Are you interested in some information?" And he said: "I don't think you can give me information." And this is during the course of investigation. Iam speaking of it generally being the case. I can't say exactly what was said each day.

Q. You are illustrating this by a typical conversation?

A. Yes sir.

Q. Is this the way it went each night?

A. Yes sir, it was.

Q. Go on?

A. As he became more talkative,

and he was very evasive when I asked him anything during the conversation about any clubs, because I had asked him about a club in Windsor and I asked him about the Ramsay Club in Niagara Falls and he was very evasive. He would give me some fairy tale and just take me around in circles. And this would go on practically every time I phoned him. In fact, every time I phoned him that is what the conversation would be.

Q. You would have Ring-around-the-Rosey, every telephone call you made to him?

A. Yes sir.

Q. You were a bear for punishment. You insisted on calling him up and having a little conversation about these clubs?

A. I figured over a period of time I would learn something and gain his confidence.

Q. This club in Windsor, what club was that in 1960?

A. I am referring to the club that operated there three or four years prior to that.

Q. You were talking about the Rozeland that had gone out of business a few years before?

A. Yes sir.

Q. And then when you would call

him up, you say on one occasion you learned that he knew about the proposed raid. He told you he knew about it?

A. That is correct, sir.

Q. So you must have, on that occasion, told him there was going to be a raid?

A. No sir. No sir. I did not tell him there was gxx going to be a raid made all through the conversation. He would say: "I know you are just trying to pull our leg," he says. He says: "There is going to be a raid on such-and-such a club and you didn't know a thing about it." In fact, he suggested - - this might have been the occasion - - he suggested I wasn't even on the Anti-Gambling squad and he didn't know why I was phoning him because I wasn't telling him anything.

Q. Did he think you were setting up a trap for him?

A. Yes, he told me that right from the beginning.

Q. He told you he had information about this one raid you talked about. On one occasion he knew about the raid?

A. Yes, sir, he did.

Q. And on the other occasions did he know about the raids or that there were

not going to be raids?

A. If he did, he didn't make any comment to me about it.

Q. No. And each time you phoned him up in this round about way, it was clear at the end of the conversation that there was or there was not going to be a raid on either the C_ooksville Club or the RamsayClub?

A. Repeat that again, please?

Q. The way you put it, each time you phoned him up, after Scott gave you the information, you sort of talked back and forth in general terms?

A. Sir, I didn't phone him just at the time. There was times I did phone him that I hadn't been talking to Scott.

Q. Well, that is probably after you had talked to Cronin, I suppose?

A. Talked to Cronin? I talked to Cronin when I started this investigation. I tried to borrow some money off ~~mx~~ him.

Q. You tried to borrow some money off of Cronin? Why did you - - -

THE COMMISSIONER: Just a moment.

MR. WILSON: I am sorry.

(Page 5170 follows)

c/1/sw

MR. WILSON: Q. And you thought he would be a good touch?

A. Well, there was nobody I could really go to to ask for a loan of money. I didn't think he would be a good touch.

Q. You knew his history?

A. Yes, he was my Sergeant on the anti-gambling squad, and he was a Sergeant on the anti-gambling squad.

Q. You knew the circumstances under which he was demoted, more or less, and left the force?

A. I don't believe he was demoted, sir. I think he was transferred to another department.

Q. And you knew it was the association with McDermott and Feeley?

A. There were suspicions on that on the squad, there was suspicion that he was involved with gamblers. That is constant talk. But it was the same as anybody who left the squad or was transferred off the squad, and I feel it was the same when I was transferred off the squad. When any officer would go off the squad, they would say, "He's got a car, well, he made enough money". That was common talk on the squad amongst all of the officers, not just Mr. Cronin.

Q. Now how much did you try to borrow from Cronin?

Q. And you thought he would be a good tenant?

A. Well, there was nobody I could really go to to ask for a loan of money. I simply made he would be a good tenant.

Q. You were his attorney?

A. Yes, he was my Sergeant on the anti-aircraft crew, and he was a Sergeant on the anti-aircraft crew.

Q. Did your relationship with which he was described, more or less, and left you there?

A. I don't believe he was described, sir. I think he was transferred to another department.

Q. And you knew it was the communication of a Sergeant and Officer?

A. There were suspicions on that on the round, there was suspicion that he was involved with gambling. That is commonly said. But it was not same as anybody who left the round or was transferred off the round, but I feel it was the same when I was transferred off the round. When any officer would go off the round, they would say, "He's got a car, well, he made enough money". That was common talk on the round amongst all of the officers, not just Mr. Simmons.

Q. Was that much odd you say to leave that round?

A. I tried to borrow $2,000 from him.

Q. And did you get it?

A. I never got it, sir. He wouldn't give it to me.

Q. Now, do you want the Commissioner to believe the story you told about the information, or the conversation that you had with McDermott, after information was obtained by you from Scott about raids or no raids?

A. Do I ---

Q. Do you want him to believe, that under oath that this is - you are telling the truth?

A. Commissioner Clark --

Q. No, this Commissioner right here.

A. What is the question again?

Q. Do you want him to believe this story you told here in the box this morning about the information, the conversation that you had with McDermott after you got information from Scott as to whether there was to be a raid or not to be a raid?

A. I am telling the truth. I'm telling that right now.

THE COMMISSIONER: Well, over this period of time, you did get information from Scott?

A. Yes, sir, I did.

Q. As to when there would or would

not be a raid?

A. Yes, I did, sir.

Q. And I just want to understand. Do you want me to understand that you kept that entirely to yourself?

A. Yes, sir, I did, absolutely.

Q. And in all these rumoured telephone conversations you say you had with McDermott, you never mentioned it?

A. No, sir, I would never mention any warning of a raid at all. I never did to anybody.

THE COMMISSIONER: All right.

MR. WILSON: Q. That is, at no time did you gain the confidence of McDermott, from the time you say you first started to call him, which was the beginning of the year - beginning of January, 1960, right down to the time you were arrested?

A. I, at no time --

Q. Did you gain McDermott's confidence, or made any arrangements with him?

A. No, I didn't. At the final outset I thought at times I was making headway with him, and then there was -- the next time I talked to him, I was right back where I started from.

Q. But you persisted right down to the time you were arrested, and were calling him, didn't you?

A. Yes, sir, I did.

Q. And after April 22nd, did you have any further investigation of Constable Scott?

A. Yes, sir. I carried on my investigation.

Q. In what way - by calling McDermott?

A. Yes, sir.

Q. To see whether or not Scott had been calling him?

A. Yes, sir.

Q. And what did McDermott tell you? After April 22nd - about his contacts with Scott?

A. His contact -- he didn't tell me anything about it, except one time he told me that, I think,that, "You and Scott are involved, and you are trying to get me in trouble, through getting our club or charter in Cooksville cancelled".

Q. Well, after April --

A. Well, he said that to me quite often.

Q. After April 22nd, and before you were arrested, you say you did keep on contacting McDermott?

A. Yes, I did, sir.

Q. Why?

A. Why? Continuing my investigation, sir.

Q. Yes, and what inquiries were you making at that stage?

A. The same thing. I wanted to know if Scott was in with McDermott, or who he was in with. I thought the more I gained his confidence, he would volunteer and tell me, and I thought McDermott would do the same thing.

Q. You had arranged for Scott to get in touch with McDermott, hadn't you?

A. How do you mean I arranged for --

Q. Well, you are the man that gave Scott McDermott's telephone number?

A. Yes, I did.

Q. And you said, "You don't need to call me, call McDermott direct"?

A. I didn't say that at all.

Q. Well, why did you give him the telephone number for?

A. Because I wanted to see and find out whether or not he would tell me whether he called the number.

Q. Oh, I see. You gave him the number because you wanted to find out whether or not he would tell you whether or not he called that number?

A. Yes, sir.

Q. And then after the 25th of April, I take it, you kept phoning McDermott to see whether Scott had phoned McDermott?

A. I kept phoning ---

Q. McDermott - to see or to find out whether Scott had been phoning him?

A. Yes, sir, I did.

Q. And what did youfind out?

A. I found out about - I would say - about two weeks afterwards that he said that he didn't - he said, "Don't be giving any police officers my phone number". He said, "You're trying to get me into some kind of a trap".

Q. And you knew that he had been calling ---

A. I still didn't know how long he had been calling, whether he had been calling all along or not.

Q. And had you asked Scott whether he had been calling him and giving him the information?

A. I believe I did. I believe I did ask him.

Q. Oh, surely you wouldn't be paying out money --

A. Yes.

Q. -- to Scott if nothing was done for it?

A. I also asked him if he was calling Sylvester.

THE COMMISSIONER: Now never mind about Sylvester. Stick to McDermott.

MR. WILSON: Q. You wouldn't be paying Scott money unless he was doing something that you thought was providing a service to the gamblers?

A. I wouldn't pay money to Scott ---

Q. No, the arrangement was that you were paying him for information. Isn't that right?

A. Yes, I was. I wanted him to believe that, yes sir.

Q. And after you had given McDermott - him - McDermott's telephone number, he was contacting McDermott direct. You wouldn't continue to pay him, would you, unless you knew he was doing his job?

A. Doing his job - I don't understand.

Q. Well, you know what the job was, to provide information to these gamblers.

A. I still had to give money because I was still carrying on my investigation.

Q. You mean to say, that you would, without knowing what he was doing, you would continue to pay money, because you were carrying on some fantastic investigation that you talk about?

A. It wasn't fantastic, sir. In my opinion it was not fantastic. These clubs are all closed, and I started this investigation, and since they have all been

closed. They went before I started on the squad, they were going also all through that period, and after I got on the squad with my investigation, that closed them.

Q. After April 22nd, you just tell me what you did to further this investigation you talk about. What did you do?

A. Well, I gave -- what did I do?

Q. Yes, what did you do? Tell me one thing you did after April 22nd about this investigation?

A. I gave McDermott's telephone number to Scott.

Q. You had done that before April 22nd. I want to know what you did after April the 22nd.

A. After April the 22nd I gave Scott another payment of money.

Q. Why?

A. Because he was asking me for more money. He wanted more money.

Q. He told you what he was doing, didn't he?

A. He told me what he was doing?

Q. Yes, you wouldn't be paying him money for nothing, even if you were carrying on your so-called investigation.

A. As a matter of factI was thinking about this time, I was thinking about getting legal advise about the investigation I had done.

Q. Come right back to April 22nd. Just tell me one thing you did after that date, in your investigation, apart from paying Scott some more money?

A. One thing I had done ---

THE COMMISSIONER: Don't repeat each question. Just answer it. Don't repeat the question. You understand the question.

A. No, I don't.

THE COMMISSIONER: Put it to him very simply. It is simple enough the way you put it, but put it again.

MR. WILSON: Q. Well, on April 22nd, you had by this time put Scott in direct contact with McDermott, we are agreed on that, you have told told us that before?

A. Yes, sir.

Q. Now then, you say you were still carrying on your investigation?

A. Yes, sir.

Q. And at this stage, who were you investigating as of April 22nd?

A. Scott.

Q. Just Scott?

A. Well, not just -- I was hoping to also learn if there was any other informants in the anti-gambling branch.

Q. Well then, what did you do after April 22nd to further your investigation?

A. I paid Scott some more money.

Q. In return for what service?

A. Well, he was calling me. I was still calling him.

Q. What was he telling you?

A. He was telling me that there was going to be a raid - or if there wasn't going to be a raid.

Q. Why would he do that when he was contacting Mr. McDermott direct and giving him information direct?

A. I don't know, sir. All along I thought maybe he was calling him all along, and was still giving me information.

Q. Well, have you any record of any calls you had from him after April 22nd, or calls you made to him?

A. After -- no, sir -- I have no record right now, no sir.

Q. And why did you terminate the making of entries in this diary of yours as of April 22nd?

A. Why did I terminate entries --

Q. Why did you stop making entries in that diary?

A. The reason I didn't make entries in that diary at that time was I gave my brother it, because I wanted him to read it.

THE COMMISSIONER: Just a moment now. All right, go ahead.

MR. WILSON: Q. What is the name of your

brother?

A. Edward Wright.

Q. And where was he living at that time?

A. 117 Gooderham Drive.

Q. And did you turn over the original diary to him at that time?

A. Yes, sir.

Q. And that was about around the 22nd of April?

A. Somewhere in that time.

Q. How long did he keep the diary after that time?

A. He would have had it about a week, because I was in Toronto at that time when I gave it - and I went back to Belleville, and back to Toronto the following weekend.

Q. So he had it for a week?

A. Yes, sir.

Q. All right. During that week, did you have any paper or pencil or pen in your residence in Belleville?

A. Yes, sir, I did.

Q. Then why didn't you use them?

A. I did, sir.

Q. You kept some notes, did you?

A. Yes, sir, I did.

Q. Where are the notes?

A. Sir, I destroyed them.

Q. You destroyed them?

A. Yes, sir.

Q. So that when you got the diary back a week later, after the 22nd of April, you took it back to Belleville?

A. Yes, sir, and I had the second book - my brother had the one I had done up to that point.

Q. The second book?

A. Yes, sir.

Q. That is the first time we have heard of a second book. What was the second book?

A. That was notes I was keeping of this investigation.

Q. Well, this is another diary of some kind?

A. It was the identical type note-book as the one that the Supreme Court of Canada has right now, the Supreme Court of Ontario. That was identical to the one I destroyed.

Q. You say you destroyed it?

A. Yes, sir.

Q. Why?

A. Because during my trial I was having trouble with a lawyer - getting a lawyer to represent me from the time I was arrested in 1960. When my trial finally did come up and I took this book into my lawyer's office, and he saw the book, he appeared to read it over,

and said it was self-serving, and that it wouldn't be admissible in a court of law, and I was so mad and downhearted that when I walked out of his office I took it and threw it in a trash can.

Q. Who was the lawyer who gave you that advice?

A. Mr. Patrick Hartt.

Q. So then you took this diary, which you say was a duplicate of the one that was filed in the Supreme Court ---

A. Not a duplicate, it was the same type of book.

Q. It was the same type of book.

A. Yes, sir.

Q. And the same kind of information in it?

A. Well, it continued on, sir.

Q. You say this is one that carried on after April 22nd.

A. Yes.

Q. Now, let's understand what was in that book you destroyed.

A. It was notes similar to the ones I had been making all along, sir.

Q. And you showed this to Mr. Patrick Hartt?

A. Yes, sir, I did.

Q. And you say it covered what dates?

A. It doesn't cover right up to my arrest, but it covered pretty near to my arrest.

Q. Where did the second diary start and where did it finish?

A. Well, it started at the time when I gave the first book to my brother for him to read.

Q. That is, April 22nd, on your evidence here this morning. Was it that week, or in that time that you gave it to him?

A. Yes.

Q. And it carried on to what date?

A. Not too long before my arrest. There wouldn't be too much in it, because I hadn't been talking too much to Scott, and I hadn't been talking to McDermott, and I was trying to make up my mind just who I should go to with this information.

Q. Now you say it carried up to the date just before your arrest? Where was that book at the time of your arrest?

A. In my apartment, sir.

Q. Where?

A. In Belleville. In Belleville, sir.

Q. And where was the original of this copy we have here, which is dated the 12th -- the first date is January 13th. Where was it the day you were arrested?

A. It was in my apartment in my

bureau drawer, sir.

Q. And the police seized this diary of January 13th, didn't they, starting on January 13th?

A. Yes, sir, they did.

Q. But they didn't seize the other one?

A. Sir, the other one was in a box with all my reports and all, and they didn't even look in the box, sir.

Q. You say they didn't find that?

A. Well, there was all these reports - all this other confidential stuff, and they didn't seize it, or didn't look in the box for it.

Q. So then after your arrest, when you had a meeting with your lawyer, Mr. Patrick Hartt, you took in this first diary covering the period from April 22nd down to shortly before you were arrested?

A. I took it in during my trial, sir.

Q. During your trial?

A. Yes, sir.

Q. And as a result of the advice he gave you about the evidentiary value of that diary, you threw it in the trash can?

A. I was disappointed and depressed when I walked out of that office, I took it and threw it right in the trash can, right on

the corner of Bay and Adelaide Streets.

Q. And was there anything in that second diary that indicated you were carrying on your investigation after April 22nd? Just tell us what was in that second diary that was of any importance.

C/3 A. Well, that I was carrying on --

Q. Just a minute. Mr. Hartt read it, did he?

A. Yes, he did read it.

Q. All right, you tell us anything of importance --

A. At least it appeared that he read it.

Q. You just tell us what of importance there was in that second diary.

A. Well, I think it was just as important as the first diary.

Q. Well, tell us what was in it.

A. Well, I can't recall exactly everything that was in it. It would be, say, day to day, as to what was in this first diary.

Q. No, but at that time you weren't contacting Scott, and you weren't contacting McDermott as much as you had prior to that time, were you?

A. Well, I was -- oh, yes -- I was still contacting him.

Q. Well, what for, to keep track on

what, what Scott was doing?

A. I was trying to break into the magic circle.

Q. You were still trying to break into that magic circle?

A. Yes, sir.

Q. And you never quite made,it, I gther, on your evidence?

A. No, as a matter of fact, they made a fool out of me, I guess.

Q. Apart from any calls you might have made to either McDermott or Scott after April 22nd, or they might have made to you, which other acts did you do in the furtherance of your investigation?

A. No other acts, sir, other than I was trying to decide with this information I was getting nowhere, and I had spent quite a bit of money, and I expected to receive it from the law enforcement fund, and I was deciding to go in or to come into the Commissioner, and I didn't decide whether to go into the Commissioner or go to theAttorney-General's office. I didn't know where to go, sir, at this time.

Q. Well, I take it you had confidence in the Attorney-General's Department?

A. Yes, sir, I did have confidence in the Attorney-General's Department.

Q. But you said earlier in your

testimony, you didn't have confidence in the Commissioner, yet you were still thinking about bringing the matter to his attention after April 22nd?

A. Yes, sir.

Q. But you were still thinking about that at the time of your arrest?

A. As a matter of fact, I would have been in Toronto on, I believe, that weekend - I was coming to Toronto, starting my holidays, when I was arrested.

Q. I see. And I just want to be clear about where this second diary was located in your apartment the day the police made a search of your apartment. What room was it in?

A. It was in a clothes closet, sir.

Q. In what room?

A. It would be off the hallway.

Q. In the hallway?

A. A clothes closet off the hallway.

Q. Off the hallway?

A. Yes.

Q. And was that -- what part of the clothes closet was it in?

A. It was in a box, as I had quite a large box and I had copies of L.39's, and all my expense account records, and charges for the investigation, and I had duplicate copies, I had from the squad and, well, I had my pay

slips, and paraphernalia like that, and old notebooks that I had over the years, relating to different investigations, all in this box in the closet.

Q. That was a clothes closet in the hall?

A. Like, off the hall, yes sir.

Q. What do you mean "off the hall"?

A. Well, the clothes closet, if you walk in, like, it's a little room under the stairway.

Q. It was under the stairway?

A. Well, like a closet there, yes.

Q. Was it in fact a closet under the stairway?

A. It would be under the back stairway, yes sir.

Q. All right. Under the back stairway.

THE COMMISSIONER: Q. What kind of box was it in?

A. A cardboard box, quite a large box.

MR. WILSON: Q. What else was in that closet?

A. Clothes, suitcases. It was like a storage closet, and for coats.

Q. Were you present when the officers made their search of your apartment?

A. Yes, sir, I was.

Q. Who made the search?

A. I believe Inspector Graham and Detective Sergeant Genno of the Metropolitan Toronto Police.

THE COMMISSIONER: Q. Detective Sergeant Genno? How do you spell it?

A. G-e-n-n-o, I believe, your lordship.

Q. From the Metropolitan Police?

A. Yes, the Metropolitan.

MR. WILSON: Q. Did they make a search of the closet that you have just been speaking about?

A. They appeared to go in. I was with Inspector Graham at the time, and he was going through my drawer.

Q. And the first diary, the one with the first date January 13th, it was in your bureau drawer?

A. Yes, sir.

Q. Why wasn't the second diary right there beside it?

A. Why wouldn't it be there -- because I had them both -- I just put them both in this box, and as it happened to be, the night before, I had been reading it over on a few points in this book, and I just happened to have it out there in my drawer and threw it in the drawer.

Q. Now after April 22nd anything you did in the way of carrying out your

investigation, was directed to George Scott?

A. That's right, yes.

MR. WILSON: I want this witness to step down at this point, Mr. Commissioner. I want to call another witness.

THE COMMISSIONER: Step down.

Do you want him to remain in the courtroom?

MR. WILSON: No, I don't want him to remain in the courtroom.

THE COMMISSIONER: Take the witness into another room.

---The witness withdrew.

MR. WILSON: I will call Constable Scott first.

GEORGE SCOTT, Recalled

THE COMMISSIONER: You are still under oath, Constable.

A. Yes, sir.

EXAMINED BY MR. WILSON:

MR. WILSON: Would you give him a copy of the diary.

Q. On page 2 of Exhibit 61, under the date of, I think it is February the 10th, you refer to a telephone conversation you had with Robert J. Wright. You had a tape recording of that conversation?

A. Yes, sir.

Q. And is this document that I show you a photostat copy of the conversation that took place between you on that occasion?

A. Yes, sir, it is.

Q. And the only point I want to ask you about, there is reference to the statement there by Wright:

"I heard about that raid ---- "

THE COMMISSIONER: Excuse me. Are you putting that in as an exhibit?

MR. WILSON: Yes, I am, Mr. Commissioner.

THE COMMISSIONER: Exhibit No.158.

---EXHIBIT NO. 158: Photostat copy of conversation between Scott and Wright.

Cross-examination, continued.

TO CONSTABLE. You are really seeing, unmistakably.

A. Yes, sir.

Cross-examination.

MR. FIGGOTT: Would you give him a copy of the diary.

Q. Mr. Davis I ad evidence Mr. Arthur was down on, I think in to Discovery the 22nd, was early in a telephone conversation you had with Inspect P. Wright. Did you in that conversation of that conversation?

A. Yes, sir.

Q. And to this document that I show you a photostat copy of the conversation that took place between you on that occasion?

A. Yes, sir, it is.

Q. And the only point I want to ask you about, there is reference to the statement made by Wright:

"I heard about that raid ---"

Do you recollect, Detect Sgt. Wright, you putting that in as the evidence?

MR. TRIBUS: Yes, I do. Commissioner, the transcript: Evidence in C.C.

Exhibit No. 102: Photostat copy of conversation form dated 3-1-1967.

MR. WILSON: Q. Now there is a statement in there that Wright made referred to there, "I heard about that raid in Niagara Falls which was a nuisance raid." Was there or had there in fact been a raid at Niagara Falls a few days prior to this conversation taking place?

THE COMMISSIONER: I haven't found it. It is on what page?

THE WITNESS: Page 3.

MR. WILSON: You won't find it in exactly the same words as recorded in the diary.

THE COMMISSIONER: How far down is it?

MR. WILSON: It is down about a third of the way. It says: "Wright: Yeah, I already heard about that Monday night".

THE COMMISSIONER: Yes, I have it now.

MR. WILSON: Q. Well, what raid was that that had taken place on Monday night referred to in that conversation?

A. It was the raid of the Ramsay Club in Niagara Falls.

Q. And that was the raid that he said he knew about?

A. Yes, sir.

Q. Well, he told you.

A. Yes.

MR. WILSON: I think that is all for the moment, thank you.

---Witness withdrew.

MR. WILSON: I will now call Constable Moore.

THE COMMISSIONER: Is your problem that the witness is not here?

MR. WILSON: I was going to call him at this point but he is not here. Maybe we can have a ten-minute adjournment at this stage. He may be back by that time.

---Short recess.

---On resuming:

THE COMMISSIONER: We will adjourn until 2:00 p.m.

---Whereupon the hearing adjourned at 11:55 a.m. until 2:00 o'clock p.m.

MR. WILSON: I will now call [illegible]

[illegible].

THE CHAIRMAN: Is your motion seconded by [illegible]

MR. WILSON: I was going to call the [illegible] point but he is not here. Before we can have a [illegible] adjournment at this stage. He may be back by then.

[illegible]

[illegible]

THE CHAIRMAN: We will adjourn until 2:00 p.m.

[illegible]

---The hearing reconvened at 2:11 p.m.

MR. WILSON: Recall Mr. Wright.

ROBERT J. WRIGHT, recalled:

THE COMMISSIONER: You understand, you are still under oath?

THE WITNESS: Yes sir.

MR. WILSON: Q. You mentioned this morning that you had shown a second diary to Mr. Patrick Hartt during the course of the trial?

A. Yes sir.

Q. Now, which trial are you talking about?

A. The trial in 1961, sir.

Q. And when did you first retain Mr. Hartt to act for you?

A. Well, it was there - it was the office of Martin and Hartt, back in 1960 I believe; I retained Mr. Martin at that time.

Q. When did you first have any meeting with Mr. Hartt to discuss the facts of the charges against you? In 1960?

A. I believe it would be late in 1960; the first preliminary hearing was in June, 1960, and I think it was September of 1960 that - - - - -

Q. Well, I can tell you:

The preliminary hearing was in March 1961?

A. No sir. The first preliminary I had, sir, was in 1960, of June; the charges of bribery against me.

Q. You say at that time you saw Mr. Patrick Hartt?

A. No sir. I am trying to recall when the first time was that I did, because Mr. Martin took the first preliminary hearing in 1960; that was in June, 1960.

Q. Yes?

A. In July; in August, September and I believe it went before the Grand Jury in September, 1960.

Q. That is right.

A. And they brought in a true indictment; I believe it was in September, the first part of September.

Q. September the 12th, 1960?

A. And the trial was to start sometime that fall.

Q. What I want to know is, when you first - - -

A. Sir, I am trying to recall when I first did.

Q. Yes?

A. And then, in 19 - - at that time these charges were set aside, and I was re-arrested again in January 1961, and I was charged jointly, then with McDermott

and Peeley.

Q. Yes. And did you see Mr. Patrick Hartt at that time?

A. I believe it was around that time.

Q. Yes?

A. It would be sometime round the first part of 1961.

Q. And the trial I am speaking of started on March the 12th? Or the trial, the first trial was May the 29th, 1961?

A. I believe, yes. I believe that was the preliminary hearing, then, and Mr. Martin, I believe, was there the first day or two, and then he was tied up in another court, and that is the first time Mr. Hartt came in; in March.

Q. But this second diary that you spoke of, you did not mention it to either Mr. Hartt or Mr. Martin until the second trial. Is that right?

A. The first trial, on the conspiracy charge?

Q. The first conspiracy trial?

A. Yes.

Q. And it was during the course of the trial that you mentioned a second diary for the first time?

A. Yes.

Q.And that first trial started on

May the 29th, 1961?

A. Yes, it was round that time.

Q. But you had had meetings prior to the start of that trial with both Mr. Martin and Mr. Hartt?

A. Yes, sir.

Q. Why didn't you mention a second diary before the start of the trial?

A. Because there were different things they asked me; I kept coming down; and they asked me different questions, and sometimes I would bring down two or three reports, and I kept bringing stuff in all the time; like certified reports and documents I had in my possession. I would bring them in a few at a time.

Q. You told us this morning that you made notes in this second diary, which you produced to Mr. Hartt, from the period of April the 22nd, 1960 on?

A. Yes.

Q. Yesterday, when you were giving evidence here, at page 5099, line - - -

THE COMMISSIONER: Let me see yesterday's transcript.

(Handed to the Commissioner)

MR. WILSON: Line 20, page 5099.

It says: "Q. After you gave "Scott McDermott's telephone number

"you ceased to have these regular
"meetings and communications with
"George Scott, didn't you?
"A. No, I believe I still met
"him after.
"Q. But you stopped your diary,
"didn't you?
"A. I was going to go into
"Toronto - - -
"Q. I say, you stopped your diary
"at that point?
"A. I stopped my diary?
"Q. You stopped making any notations
"in your diary, or your notebook?
"A. Yes, I did stop because I
"was going to go into Toronto and inform
"the Commissioner, when I had some
"time off around the 1st of May,
"and I was going to come in and tell
"him."

And then at page 5100, line 14:

"Q. Why didn't you continue to
"make any further notes after you
"put him in direct contact with
"McDermott?
"A. I believe I stopped my notes
"before I put him in contact with
"McDermott."

Q. Now, you recall giving that
evidence yesterday?

A. Yes, I recall about that tit; that is correct sir.

Q. Which story do you want us to believe? The story youtold us yesterday, or - - -

A. It is not a story at all; it is the truth, sir.

Q. Which of the two stories do you want us to accept?

A. Sir, I misunderstood you, because I thought you were referring to my making entries to that diary which the police had seized, and which is now in theCourt of Appeal.

Q. And that is your explanation?

A. Yes.

THE COMMISSIONER: We take it, that is not what you said yesterday?

THE WITNESS: No sir.

THE COMMISSIONER: Read the question above, start at line 7.

MR. WILSON: On page what?

THE COMMISSIONER: 5100.

MR. WILSON: (reads)

"There was no further need for you,
"once you put him in direct contact
"with McDermott to make any further
"notes?"

THE COMMISSIONER: "Any further notes!"

THE WITNESS: Well, sir, I believed you were referring to that first diary, there,

and that is what I was referring to, when I answered that question; because we were talking at thattimeabout that diary, sir.

MR. WILSON: Q. That is your explanation?

A. Yes sir.

Q. Very well. The record, I think, speaks for itself, Mr. Commissioner.

(To the witness) Now, yesterday, you said you had suspicions of certain officers in the Ontario Provincial Police, including Commissioner Phelp, Commissioner Clark - Mr. Phelp and Assistant Commissioner Kennedy. Do you remember that?

A. Yes sir.

Q. Now first of all, tell me the basis for your suspicion of Commissioner Clark.

(Page5201 follows)

AA/2

A. Well, sir, I can recall; I believe it was in 1958. He was the Acting Commissioner at the time, and we were raiding the Vets Club and at that time, that I can recall, we had been stopped from raiding the club; and then we took up observations, with a point in the back of our minds that the police car being parked in the entrance to the club, it would deter persons from entering into the premises; and that lasted about a week; and then we were stopped from doing that,,and I asked Shrubb and Anderson about it at the time, why; and they said that it came from orders from higher up. I said, "Where?", and they said it came from the Commissioner's office.

Q. Now, he was -- I beg your pardon. Was this before his appointment as Commissioner?

A. No. I am referring now over a period of ---

Q. You referred to 1958; when you say he was Acting Commissioner.

A. In 1958 he was Acting Commissioner.

Q. Through what part of that year?

A. I could not tell you exactly; if I had my police diary, I could tell you exactly, sir.

Q. He was appointed Commissioner on August the 1st, 1958. It was prior to that time, was it, in 1958?

A. Yes, it was prior to that time, and

it was after that time when these observations were taken. We later on thought, when Mr. Clark had took -- he was the Commissioner. When he was made Commissioner permanently.

Q. Is that incident you have told us about the only basis for your statement that you were suspicious of Commissioner Clark?

A. Yes. When I said -- when I say I was suspicious of Commissioner Clark, I was suspicious of his whole office.

Q. I am talking about Commissioner Clark at the moment.

A. Yes.

Q. Have you got anything else to found your suspicion of Commissioner Clark on?

A. I thought it was after the work I had done, in that anti-gambling squad; and he just handed me a transfer, and told me to go down to Belleville, and I was the senior officer in charge, and in line for a promotion.

Q. And you were suspicious of him by reason of the transfer?

A. I thought he should give me a more explicit explanation.

Q. Now, is there anything else that you found your suspicion of Commissioner Clark on?

A. No, sir. These were pretty well the bases of my suspicion of Commissioner Clark.

Q. Let us take Assistant Commissioner Kennedy. Upon what did you found your suspicion of Assistant Commissioner Kennedy?

A. Well, he was -- we communicated with him directly concerning our branch; like, Sergeant Anderson answered to Assistant Commissioner Kennedy directly, with any matters relevant to the raids; not just of clubs, but the general policy of the anti-gambling squad. And at that time I was told that Commissioner Clark and Assistant Commissioner Kennedy ---

Q. Told by whom?

A. It would be Corporal Shrubb.

Q. Yes?

A. That according to instructions from Assistant Commissioner Kennedy and Clark they were not going to pursue an undercover investigation. In other words, for undercover men in the field; and there was a tight money policy brought in the Force at that time, to cut down expenses.

THE COMMISSIONER: Just a moment, please.

MR. WILSON: Q. Now, is that all? Have you told us everything upon which you founded your suspicion of Assistant Commissioner Kennedy?

A. No, sir. There was also when Commissioner Clark and Assistant Commissioner Kennedy came in charge of the branch; the branch's working personnel, in other words

members of the branch, were out; there were two officers transferred out, which were never replaced, and they increased the work, and the burden on us there, and we thought we could be a more efficient branch, if we had more officers to assist us, and do the work.

Q. Was there anything else?

A. Yes. There was the matter of the memorandum that Sergeant and I submitted to him.

THE COMMISSIONER: Q. This what?

A. This memorandum, that Sergeant Anderson and I submitted to him, concerning this incident in the Ramsay Club trial in Niagara Falls, whereby Anderson and I were accused of being McDermott's stooges; and he received the memorandum, and there was no word at all on it, and I had asked him at some time after, and he says, "Well, you cannot go around suing lawyers!" And he says, "Some time you talk to Sergeant Anderson about it, and we will sit down and talk about it." And subsequent to that I did ask Sergeant Anderson about it, and he shrugged his shoulders, and shrugged it off, as if he was not interested in it any more.

So, I thought at that time that Assistant Commissioner Kennedy was not -- I at least thought he should have given us a reply in writing in answer to this memorandum, because he was instructed to do that, in the Ontario

Provincial Police; when we were to receive replies to memorandums.

Q. Did you discuss that with Anderson?

A. I told him that I had spoken to Assistant Commissioner Kennedy about it, and that when he had time, that we were to sit down with him and discuss it; and that time never came.

(Page 5206 follows)

Q. You never did sit down and discuss it?

A. No sir.

Q. Was there anything else that made you suspicious of Assistant-Commissioner Kennedy?

A. Other than he attended meetings that Sergeant Anderson attended, and other senior officials did attend, that seemed to develop the policy, and curb us from raiding the clubs and keeping the observation on the clubs.

Q. Now, as to both Commissioner Clark and Assistant Commissioner Kennedy, you did not agree with their policies from time to time, did you?

A. No sir, I did not.

Q. No. And it was because of your disagreement with their policies that you formed in your mind a suspicion, is that correct?

A. No sir, that is not correct.

Q. What else is there, apart from what you have told us, that you have to base your suspicion on, of these two men?

A. That is all, sir.

Q. You have told us everything?

A. Yes. To the best that I can recall at the time sir, that is correct.

Q. Yes. And about everything you have told us, that you did not like the

policy that they laid down - - - -

A. I liked; yes, I liked the general policy.

Q. But you didnot like this particular policy?

A. That is correct, sir.

Q. Yes. And now, coming to Mr. Phelps. What was your basis for your suspicion of him?

A. Because Corporal Shrubb had told me that meetings had been held over the years, that Mr. Phelps attended at the meetings that stopped ~~ank~~ police officials. He was at the meetings.

Q. And you did not like that?

A. No sir; it does not matter whether I liked it or not. It was a matter that he was not above suspicion, because he attended those meetings.

Q. I see. Because he attended the meetings of the higher-ups you were suspicious of him?

A. Yes; and Corporal Shrubb told me earlier, and Anderson, that that information was getting to the gamblers; and they were attending these meetings and it would be sometime after they would tell you they were at a meeting; and information by that time had got back to the gamblers.

Q. You were suspicious of ~~Mashpay~~ Phelps,

because he was in attendance at these meetings?

A. Yes.

Q. Is that the basis, your sole basis for your suspicion?

A. That is correct, sir.

MR. WILSON: Mr. Commissioner, I could go on and deal with the others; and I will in due course, but I do not think that type of evidence warrants the type of headlines we have had in regard to top police officials in the Ontario Provincial Police.

THE COMMISSIONER: I agree.

MR. WILSON: Q. Now, coming to your diary, you have made mention of the fact that you saw former Sergeant Cronin, and tried to get a loan of two thousand dollars from him?

A. Yes, I did.

Q. When did you contact him for that purpose?

A. It would be in about - it was in January, shortly after my transfer to Belleville. In fact, I believe I was - I believe I was stationed in Belleville at the time, and I drove down there one night, on my night off. He has a motel inKingston.

Q. At that meeting did you have a discussion with him about tip-offs in the Niagara Peninsula area?

A. I told him, or I asked him for a loan; I can - - -

THE COMMISSIONER: Can you answer the question?

THE WITNESS: What was the question sir, again?

THE COMMISSIONER: Don't you know the question?

THE WITNESS: No sir, I do not.

THE COMMISSIONER: Well, you could not answer it if you do not know it.

MR. WILSON: You go ahead with your answer, whatever you are going to answer.

THE COMMISSIONER: He was not answering anything yet.

MR.WILSON: He started.

THE WITNESS: What is the question?

THE COMMISSIONER: You asked him a simple question: When he was talking with Cronin, did he discuss tip-offs; and he can say yes or no.

THE WITNESS: Yes I did, and that is what I told him I wanted the money for; to do an investigation, and that is what I was trying to explain, sir.

MR. WILSON: Q. What did he tell you about tip-offs in the Niagara Peninsula area?

A. Well, he told me that he would not lend me the money, and I told him I was quite upset about thetransfer and he said: "Yes, I guess it was too bad, to put all those

years in and get transferred off the branch like that; and they did the same thing with me", and I told him about what I was going to do; some investigation and he said he would not lend me any money, and that he had not any money to lend me.

Q. Answer my question: What did he tell you about tip-offs in the Niagara area?

A. He told me he had heard that there were some in the anti-gambling squad giving tip-offs.

Q. To whom?

A. He mentioned somebody; a man over in St. Catharines.

Q. Have you got a copy of your diary in front of you?

A. Well - - - -

MR. WILSON: Give him the exhibit. Turn to page 7; and after you have made certain notes on reported happenings, on February the 29th, 1960, you have this reference:

"N.B. 1. (At this time I should "point out that I had contacted "Mr. J.F.Cronin, a former sergeant "at the branch and talked with him "about information from the underworld. "I contacted him at Kingston at "his motel. J.Cronin informed me

"of many things and told me to
"contact him any time I wished to.
"He said he was convinced some one
"or two persons were tipping off
"gamblers in the Niagara Peninsula.
"He told me what he heard: Ma that
"someone in the branch was tipping
"off a Mr. S.Balsam. He told me that
"Mr. Balsam had been told by the
"informants that under no
"circumstances would he contact
"the informants at their homes.
"Any time the branch was going to
"raid a bookmaker in the Peninsula,
"that they would contact Mr.
"Balsam in a bowling alley in
"St. Catharines. Sergeant Cronin
"also informed me that the two
"men from the branch had definitely
"been paid money by Mr.Balsam."

(Page 5212 follows)

AA/4

Q. Now first of all, did he make the statements that you attribute to him in your diary?

A. Sir, there was discussion and this is what - - - -

THE COMMISSIONER: Now, can you answer that simple question!-

A. That is what I took out of his discussion, yes.

MR. WILSON: Q. And who were the two informants that you are speaking about, on the branch at that time?

A. He did not say who they were; who their informants were, sir.

Q. Are you swearing about that? Read the previous paragraph, and then tell me whether or not you cannot tell me who the informants were, whom you were discussing?

A. (Looking at document) Read that paragraph over again?

Q. No. You do not need to read it over again. Read the one at the top of the page.

A. Yes sir. This corresponds with what Sergeant Cronin told me earlier. He said he had heard there were two informants and when Scott told me, and he mentioned the bowling alley; but when Scott told me about Lamoris and Lawrence, he did not think also they were tip-off, and I felt at the time that

these were the two men the sergeant was ----

Q. Who were they?

A. P.S.'s Lamorie and Lawrence.

Q. (reads):

"Sergeant Cronin also informed me "that the two men from the branch "had definitely been paid money "by Mr. Balsan."

Who were the two men he was talking about?

A. At this time I took it was Lamorie and Lawrence, because they were the only two person Scott and I had come up on.

Q. Did he use the names of Lamorie and Lawrence?

A. No sir, he did not.

Q. Did he talk about two men on the branch?

A. Yes sir, he did.

Q. And did he talk - - - -

A. Excuse me. He said they were officers on the branch, and I just have concluded these were the officers that Scott and I - their names had come into our investigation.

Q. Did he tell you about the contacts in the bowling alley in St. Catharines?

A. Yes, I believe he did.

Q. In the previous paragraph you made reference to meetings of Lawrence and Lamorie in the bowling alley in St. Catharines?

A. Yes, Scott - - not that I was meeting them, but that Scott told me.

Q. I did not suggest you were meeting them.

A. I was.

Q. I suggested to you, what you said here is that Cronin toldyou that Lawrence and Lamorie were contacting Balsam in this bowling alley in St. Catharines?

A. Sir, he did not tell me Lawrence and Lamorie; he told me officers; officers of the branch, and this is a conclusion I have come to, after.

Q. If they were giving tip-offs at that time, they were in opposition to you and Scott?

A. ~~/~~ Constable Scott and I had discussed that yes sir.

Q. Yes. Did you do anything about reporting the information that former Sergeant Cronin had given you, in this regard, to any of your superior officers?

A. No sir. I put this into my notebook, because as I said before I was going to go and bring the whole thing into Toronto.

Q. I want you to follow certain dates in your diary, which is Exhibit 157.

Now, the first date I want to refer you to in your diary is February the 10th,

1960; on page 3, at the bottom?

A. Yes sir.

Q. At 7:45 on that date, did you contact F.C.Scott by phone from your home in Belleville?

A. I contacted him at his home, yes, from Belleville.

Q. You called him on that evening; and thenfollowing that, did you call Port Credit, Crescent 8-3783?

A. I could have called sir; I could have.

Q. Yes. Now, the next date -----

THE COMMISSIONER: Just a moment. I cannot keep that number in my mind. Crescent what?

MR. WILSON: Crescent 8-3783.

THE COMMISSIONER: Yes, thank you.

MR. WILSON: Q. On February the 17th, page 5 inyour diary did you call F.C.Scott at 7:30 p.m. at his ~~nx~~ new number, Howard 5-9138?

A. At 7:30 p.m. Wednesday the 17th, I contacted him at his new number, yes sir; I phoned - I have not any note of the number here.

Q. And after that call, did you call Crescent 8-3783?

A. I could have; I could have called before, but as well after, sir.

Q. And that Crescent number, 8-3783 is McDermott's number?

A. Yes, I believe it is, yes sir.

Q. And then on February the 18th, at 7:25 p.m. didyou call F.C.Scott by telephone?

THE COMMISSIONER: When?

MR. WILSON: From 7:25 p.m.

THE WITNESS: Yes sir, I did.

MR. WILSON: Q. And immediately following that call that you made to Toronto, to Scott, did you call Crescent 8-3783?

A. I could have sir; I could have called him before, sir; Ido not know.

Q. And then on February the 19th, did you call F.C.Scott at Toronto, at 7:15 p.m.?

A. Yes sir, I did.

Q. And on that occasion you phoned his residence first, and found he was not there and you were told to phone the Earl French Club?

A. Yes, sir, I did.

Q. And you finally reached him at the club?

A. Yes sir, I did.

Q. And after those two calls, did you then call Crescent 8-3783?

A. Again sir, I could have before, I could have called after, sir.

Q. You were not in the habit of

of calling before you got the information, were you?

A. Sir, I called Mr. McDermott prior to talking to Scott several times, as well as sometimes after.

Q. I have no doubt that several times over the period, from February the 10th to May the 28th, you called before you got the informationfrom Scott?

A. Yes, I called himbefore I got the informationfrom Scott, and sometimes I called him after I got the information from Scott.

Q. We will go on with the list.

A. Yes sir.

Q. On February the 20th, at 7:40 p.m., didyou call P.C.Scott?

A. Saturday February the 20th?

Q. At 7:50 p.m.?

A. Yes sir, I did.

Q. 7:45 I beg your pardon?

A. Yes sir.

Q. And then did you immediately call, or within a matter of minutes, call C,escent 8-3783?

A. Yes sir, I could have called before, I could have called after, yes sir.

AA/5

Q. And on February the 22nd, did you at 7:34 p.m. - I beg your pardon; at 7:20 p.m. did you call P.C.Scott?

THE COMMISSIONER: What date is that?

MR. WILSON: February the 22nd, at 7:20 p.m.

A. Yes sir, I did.

Q. And then did you immediately call Crescent 8-3783?

A. I could have called him - called that number again, yes sir; before or after.

Q. And then you had some calls to Scott that do not appear in your diary, don't you? There were a few that you did not put in your diary?

A. No sir. I put every call I made to Scott in my diary, as I recall.

Q. Have you got one for February the 23rd?

A. No sir, I have not.

Q. Then, on February the 24th, you called F.C.Scott at 7:30 p.m.?

A. Yes sir, I did.

Q. And did you not immediately after that call Crescent 8-3783?

A. Yes; I could have called before; I could have called after, sir.

Q. Then, on March the 2nd, did you call F.C.Scott at 7:40 p.m.?

A. Yes sir, I did.

Q. And immediately after that you called Crescent 8-3783?

A. Yes, I could have called before; I could have called after, sir.

Q. On March the 3rd, did you call P.C.Scott at 7:20 p.m.

A. Yes sir, I did.

Q. And immediately after that call, did you call Crescent 8-3783?

A. I could have sir, called before; I could have called him after.

Q. On March the 5th, did you call P.C.Scott at 7:00 p.m.?

A. Yes sir, I did.

Q. And following that call, did you immediately call Crescent 8-3783?

A. I could have called before; I could have called after, sir.

Q. And on March the 7th, did you call P.C.Scott at 6:40 p.m.?

A. Yes I did sir.

Q. And immediately, or shortly - I beg your pardon. A short time after that call, do you recall having or receiving a call from Mr. McDermott, from the Royal York; what is the number - At Woodlawn 8-6223?

A. I don't recall. I don't know where he called from. But I do know that I had received - I don't know sir, what date, but I do know that he did call me a few times, yes sir.

Q. And then the next day, or

shortly after midnight, do you recall making a further call to Toronto, fromWoodlawn 2-0096, to Port Credit: Crescent 8-3783?

A. Would you repeat that again? What is the date?

THE COMMISSIONER: The 8th of March.

MR. WILSON: Q. Just a few minutes after midnight; at 12:03, to be exact?

A. Sir, I have got here 9:15 p.m. sir.

Q. Well, we will come to that. That was another call that you made that day. I am talking about one later in the night that you got a call from McDermott, when he was at the Royal York. But you say you do not know where the call came from?

A. That is correct, sir; what is the question now, sir?

Q. Do you remember that night he called you from Toronto? But you do not know from what number? You have told us that. Now, do you recall the question?

THE COMMISSIONER: Are you referring to the March the 7th call?

MR. WILSON: Yes. At 8:25 p.m.; and then the next calls, Mr. Commisioner, in point of time, are, or is a call at 12:03 a.m. of March the 8th, from Belleville; Woodlawn 2-0096 to Crescent 8-3783?

A. I could have made the calls,

yes, sir; I am not going to swear to it, because I have no notes for the times of those calls.

Q. Do you recall what the urgency was that night?

A. No sir, I do not recall any urgency, when I called Crescent 8-3783.

Q. There was never any urgency?

A. Never any urgency for me to call the number.

Q. It just became a habit, I suppose?

A. It was not a habit sir, I was, as I said before - I wanted to know and have an idea; information was getting out; whether he had the same information I had got from Scott.

Q. On March the 8th you called F.C. Scott at 9:15 P.m.?

A. Yes sir.

Q. And immediately you called Crescent 8-3783?

A. Yes; I could have called before; I could have called after, sir.

Q. On March the 9th, you called F.C.Scott at 6:45 p.m.?

A. Yes sir.

Q. And immediately after that you called ----

THE COMMISSIONER: What hour was that?

MR. WILSON: That was in this witness' diary at 9:15 p.m. I beg your pardon; I am sorry. Was the last reference to March the 9th?

THE COMMISSIONER: Yes, 9:15.

MR. WILSON: I beg your pardon. It should be March the 8th was 9:15. March the 9th was 6:45 p.m.

Now, immediately following that, at 6:45 p.m. on March the 9th, you called Toronto: Empire 8-2511, extension 2256?

A. I called what number, sir?

THE COMMISSIONER: Empire 8-2511.

THE WITNESS: What is the number, sir?

THE COMMISSIONER: Empire 8-2511?

THE WITNESS: Yes. I do not know whether - what is that?

MR.WILSON: Q. I suggest it is the Royal York?

A. Sir, I do not ever recall phoning the Royal York at any time, sir.

Q. You do not?

A. No sir.

THE COMMISSIONER: Could you have, the same as the other officers?

THE WITNESS: Not the Royal York. I could have called the number, but I did not know what it was, or anything.

THE COMMISSIONER: What hour, Mr. Wilson?

MR. WILSON: 6:53 p.m.

And the call, to what I believe to be the Royal York - and we will have evidence on it - was from Woodland 2-0036, being the number used by this witness to call Scott at 6:45 p.m.

A. I called several numbers, sir, from Belleville, that is what I said. I don't know; unless I knew exactly what they were.

Q. Now, on March the 11th, at 7:15 p.m. you called F.C.Scott?

A. There is no time here; - oh, approximately 8:30, yes.

Q. Approximately what? I am sorry. Approximately 8:30.

A. On Friday, March the 11th, approximately 8:30 p.m.: F.C.Scott phoned my residence. I am sorry.

Q. That is right. It was reversed on that occasion. And then immediately after that call, did you call Crescent 8-3730?

AA/6 A. I could have called it before, sir; I could have called it after, sir.

Q. Now, that particular evening or night, do you recall making a further call ----

THE COMMISSIONER: Excuse me. Did you call before? What would you be asking?

THE WITNESS: I would be asking, or trying to see if Mr. McDermott would have any information that I might get off Scott, when I was going to call him.

THE COMMISSIONER: I do not know just how you would go about that, on these many days that you called McDermott; you said it could have been before you were talking to Scott.

THE WITNESS: Yes sir.

THE COMMISSIONER: Now,what good would that do you? What would you expect to hear from McDermott, if you called him before Scott talked to you?

THE WITNESS: Because I expected to be - I thought all along Scott could have been in with McDermott, to have been giving information, and I was trying to see who Scott was in with; and if I phoned McDermott prior to phoning Scott that possibly McDermott would tell me something.

Q. What was asked?

A. We discussed a lot of things; we got so that we discussed - I mean, he finally admitted that he knew such a club existed, and such bookmaking premises had existed. He told me about the sweepstake tickets, and there was the hope, all along, that he would eventually tell me that he was doing - that Scott and him were working

together.

THE COMMISSIONER: This was a shot in the dark?

THE WITNESS: Yes sir; right from the beginning sir.

MR.WILSON: Q. Shortly after midnight, on March the 12th, didyou call Port Credit, Crescent 8-3783?

A. Saturday , March the 12th, at 7:15 p.m. : Contacted F.C.Scott at his residence, yes sir.

Q. You called him, you say, at 7:15 p.m. that day?

THE COMMISSIONER: No, no. You asked him if he had called the Crescent number that day.

MR. WILSON: Q. Iasked you whether or not shortly after midnight, on March the 12th, whether you had called Crescent 8-3783?

A. I could have sir, yes sir.

Q. And then you went on to say that on that same day, March the 12th, you called Scott at 7:15 p.m.?

A. Yes sir, I did.

Q. And then on March the 14th, did Scott call you at 6:50 p.m.?

A. March ----

Q. The 14th?

A. The 14th? Yes sir.

Q. And did you immediately , or

within a matter of ten or fifteen minutes, call Crescent 8-3783?

A. Yes. I could have called that number at that time, yes sir.

Q. On March the 16th, did you call P.C.Scott?

A. March the 16th? At 6:45 p.m. yes sir.

Q. And shortly after that call, did you get a call from Crescent 8-5289, at Port Credit?

A. I could have sir; I do not kmx know.

Q. Who would that be? Mr. McDermott?

A. I do not know sir.

Q. Was thmx anybody else calling you from Port Credit, except McDermott?

A. Sir, I would not know if the call came from Port Credit, or Belleville, or where it came from.

Q. Were those calls person to person or station to station?

A. The calls I made were station to station, I believe; yes. They were station to station calls I made.

THE COMMISSIONER: Q. On this particular date, you got the call from McDermott?

A. Sir, I could have got a call;

it has to be from McDermott.

Q. What was he calling you about?

A. He called me several times.

Q. Except, to have you give him information?

A. I beg your pardon?

Q. What would he be calling you about, except to have you give him information?

A. Well sir, as I said before, I expected to gain his confidence, and he was calling me not too often, but he did call me; and on the one, two instances, after he asked me if he -- if I knew anybody in a certain district, where he could get a traffic ticket withdrawn, and I can recall that on two occasions.

Apparently some friends of his had been stopped for speeding by the O.P.P. and had received a speeding ticket; and that he wanted to know if I knew anybody in that area.

THE COMMISSIONER: To do what?

THE WITNESS: To see if I knew anybody, to get the ticket withdrawn.

MR. WILSON: Q. On March the 18th, did you receive a code message from "Joe", to say he was going south for sure at 10:00 p.m.?

A. Yes, I did; I received a message, yes sir.

Q. And who gave you that message?

A. My wife said that somebody by the name of Joe had called and apparently it was on a slip of paper, and she said somebody by the name of Joe called, and said they were going south tonight.

Q. And who was Joe?

A. To me, I would think that would be Mr. Scott.

Q. Yes. Why would he use "Joe"?

A. I do not know sir. It is onlytwo people who knew about the code, and that was Scott and myself.

Q. And then, that information was given to you by your wife at 6:00 p.m., was it not?

A. Yes. It would be about 6:00 p.m., yes.

Q. And immediately after that, did you call Crescent 8-3783?

A. I could have sir; I could have, or I could have called before that.

Q. I suppose you called to see whether McDermott knew that Joe was going south?

A. Yes, I could have sir.

Q. But you made that call at 6:05 p.m.?

A. I am not going to swear I made that call at 6:05 p.m., because I have

nothing in my notes on it right now sir.

Q. And then on March the 22nd, Scott called you at 12:00 midnight?

A. March the 22nd?

Q. That's right?

A. 6:50 p.m. I have here, sir. That is what I have; I should have my own notes from the Supreme - - from the Court of Appeal, because my writing could not be understood, and somebody put in these figures here, and that is why I would like ------

Q. Let us go backto your notation for March the 21st, where you say you called P.C.Scott at 12 midnight. Would that be right?

A. Icalled on March the 21st, at 12 midnight, yes.

Q. You did that?

A. Yes sir.

Q. And then on March the 22nd, at 6:50 p.m. did Mr. Scott phone you?

A. Yes, Tuesday, March - P.C.Scott phoned me at my residence, yes sir.

AA/T

Q. And did you about one hour later, call Crescent 8-3783?

A. I could have sir, yes sir.

Q. And on March the 23rd, did you call P.C.Scott at 6:50 p.m.?

A. Yes, sir, I did.

Q. And a few minutes after that,

did you call Crescent 8-3783?

A. Yes; I could have called then and I could have called before, sir.

Q. And on March the 25th, did you call P.C.Scott at 7:30 p.m.?

A. 7:15 p.m., yes sir.

Q. 7:13 p.m., is it?

A. That is what I have here, sir.

Q. March the 25th, 7:15, that's correct. And then a few minutes after that, did you call Crescent 8-3783?

A. I could have sir, yes; I could have called after; I could have called before, sir.

Q.Now, on March the 26th, did you call P.C.Scott at 7:50 p.m.?

A. Yes sir, I did.

Q. And a few minutes after that, did you call Crescent 8-3783?

A. Yes; I could have called them, I could have called before, sir.

Q. On April the 2nd, did P.C. Scott call you at the office, at 10:40 p.m.?

A. Yes sir, he did.

Q. And did you call Crescent 8-3783, either before or after that call?

A. Yes I could have.

THE COMMISSIONER: Allow me to understand: on all these dates that Mr. Wilson has drawn to your attention, when

Scott called you, you put it in your diary?

A. Yes sir.

Q. Then, you did not put in your diary your calls to McDermott?

A. No sir.

Q. Why?

A. Because I was not interested in McDermott, other than to the extent that I was wanting to try to play him along, and also I was interested in finding where the leak was on the Anti-Gambling Squad.

Q. Supposing on each occasion McDermott could tell you that he had already - did he tell you he had already heard anything?

A. On each occasion? No sir. He did at least on one occasion.

Q. Did you put that in your diary?

A. No sir, I did not.

Q. Why not?

A. Because, sir, there were so many things he told me that I did not believe.

Q. That was a very important matter?

A. Sir, as I say ----

Q. You did not put it in your diary?

A. No sir. That is one of

these things I overlooked, sir.

THE COMMISSIONER: Yes, all right.

(Page 5234 follows)

BB/1/FL

MR. WILSON: Q. Also, a police officer usually puts down the place he calls from, doesn't he? I say, a police officer usually puts down the place he calls from.

A. I don't think so, sir. Over a period of time I don't think he would. He might for a few times, sir.

Q. You do not say that is -- Do you deny that is part of the regular police procedure when you are making a diary notation?

A. I would say that -- A lengthy investigation, I don't believe, because I am just calling from a pay phone. I am calling from Belleville.

Q. You did not put McDermott down; you were not interested in implicating McDermott, were you?

A. In implicating McDermott?

Q. Yes.

A. No, I was interested in finding where the leak was on the anti-gambling squad.

Q. It did not interest you any what McDermott was doing, what illegality he was engaged in?

A. To me he wasn't engaged in anything illegal at this time.

Q. He was not?

A. No, sir.

Q. He was just carrying along like you were, in a very legl fashion; is that it?

A. Well, no, he was, I figured and suspected he was, engaged with the gambling fraternity. He told me.

Q. The fact you knew he was getting tip-offs did not bother you at all?

A. Well, sir, I thought he was getting tip-offs from Constable Scott.

Q. But he had not got -- Scott had not been in direct communication with him up to this time.

A. Not that I knew of; no, sir.

Q. No, no. On April the 4th you had a call from Scott at 7:20 p.m.?

A. Yes, sir.

Q. And, then, you called on that occasion from a pay phone -- No, I am sorry. A few minutes after that you called Crescent 8-3783?

A. Yes, I could have, sir. Yes, sir.

Q. On April the 8th P.C. Scott called you at 7:10 p.m.?

A. Yes, sir, he did.

Q. And a few minutes later you called Crescent 8-3783?

A. I could have, sir. Yes, sir. I could have called before that.

Q. Well, we will clear up whether you called before or after in a few minutes. On April the 10th you called P.C. Scott at 11:45 a.m?

Q. Well, sir, he said, I figured
we'd somewhat be been engaged only the questions
[illegible]. Do you see.

A. The first you saw by one operator
[illegible] and Bonner Jan 26 1111

A. Well, sir, I thought he was
[illegible] Elmer[illegible] first [illegible].

Q. Did he say — [illegible]
[illegible] by [illegible] [illegible]
[illegible] to [illegible] [illegible].

A. Yes he said I [illegible] sir, [illegible].

Q. Did you [illegible] [illegible] [illegible]
a call from Boone at 7:00 p.m.?

A. Yes, sir.

Q. Was [illegible] [illegible] [illegible]
[illegible] from [illegible] — Jan. 2 at [illegible].
A [illegible] [illegible] was [illegible] [illegible]
[illegible]

A. Yes, I recall that, sir.

THE. [illegible].

Q. On April the 3rd 1.C. [illegible] called
you at 7:15 p.m.?

A. Yes, sir, in [illegible].

Q. And a few minutes later you
called Terminal [illegible]

A. I could have, sir. Yes, sir.
I could have called before that.

Q. Well, we will clear up whether
you called before or after in a few minutes.
In April the 12th you called I.C. Boone at 11:45 a.m.

A. Yes, sir, I did.

Q. And what was the purpose of this call on the Sunday morning?

A. I contacted P.C.Scott at his home, Oxford 4-0731, by long-distance call. I told him I was talking to a person, Cronin, about St.Catharines, open on Sunday this day.

Q. I take it this was a later time you were talking to Cronin? This was not the time you were asking for a couple of thousand dollars?

A. No, I just told Scott I had been talking to him; I hadn't been talking to him.

Q. Was there any club in St.Catharines going on that day?

A. I don't know. There was discussion prior to this that there was a club going to open and I just told Scott at the time that I heard this from Cronin, that the club was going to open, hoping he would make some comment, but he didn't make any comment.

Q. Shortly after that you called Crescent 8-3783?

A. On the same date, you are referring to?

Q. Yes.

A. Yes, sir, I could have called this.

Q. You were asking, I suppose, whether

A. Yes, sir, I did.

Q. And which was the employee at this exit at the Shelter Wholesale?

A. I recognized [illegible] as this man, Michael O'Neill, the Shelter-Wholesale call. I did this as I was talking to a person, Donald, about [illegible], then we finally had [illegible].

Q. I know it then but I have also you were looking to Donald. Did you not tell him you were asking for a couple of thousand dollars?

A. Oh, I just told I was [illegible] been talking to him I hadn't been talking to him.

Q. Was there any talk in [illegible] going on that day?

A. I don't know. There was discussion prior to this that there was a club going to open and I just told Donald the same that I heard this from Donald, that the club was going to open, hoping he would come down commend, but he didn't come my commend.

Q. Shortly after that you called Michael O'Neill?

A. At the same time, you can [illegible] 1?

A. Yes.

Q. Then, sir, I don't know [illegible] Kim.

Q. Did you have [illegible] Kimmel, [illegible]

or not the club was going to open that day in St.Catharines?

A. I could haveasked him if he had heard of any club opening. In fact, I did ask him two or three times.

Q. Was it a club he was going to have a piece of or competition?

A. No. He told me before that he had heard that a club was going to open in St.Catharines. In fact, he told me there was a club there in St.Catharines, I believe.

Q. The next day is April the 14th. Did you get a call from P.C.Scott at 9 p.m.?

A. Yes, sir, I did.

Q. That occasion you are saying everybody was off for Easter weekend?

A. That is what he told me, yes.

Q. And, then, after that call you called Crescent 8-3783?

A. Yes, I could have called him after or I could have called him before, sir.

Q. Then, on April the 19th, you had a call from P.C.Scott, not from Toronto but from Belleville?

A. Yes, sir, I did.

Q. On that occasion did he tell you anything was doing that night?

A. I met him at my office. He had supper that night with my wife and I. That is correct, sir.

or not the club was going to open that day
in St.Catherines?

A. I could hardly say if he
had heard of any club opening. In fact, I
did not talk the matter over.

Q. Was it a club he was going to
open in place of my application?

A. No. He told me he believed that he
had heard that a club was going to open in
St.Catherines. In fact, he told me that
he's also been in St.Catherines I believe.

Q. You just say it still was after
that you got a call from Toronto or St Catherines?

A. Yes, sir, I think.

Q. Have everything you are saying
exactly the same as for the former examination?

A. What is your no really, sir?

A. Yes, I think that will be
quite correct Sir.

A. Yes, I could have called him after
I would have called the office, yes.

Q. Then, we have the fact, you
had a call from Toronto and from Niagara
that first occasion?

A. Yes, sir, I did.

Q. In that conversation did he tell
you anything was doing that night?

A. I met him at my office. He had
another thing again with me with me I. Yes
he mentioned that.

Q. I am asking you whether he told you there was nothing doing that night?

A. Yes. He said nothing was doing tonight. That is correct, sir.

Q. And at 11:54 p.m. that night you called Crescent 8-3783?

A. I don't know whether I called or not. I could have, sir.

THE COMMISSIONER: What hour?

MR. WILSON: 11:54 p.m.

Q. Now, all those calls that I have referred to, from February the 10th through to April the 19th, in every case either he told you -- Scott told you -- they were all calls that either originated in Belleville and went to Toronto to Scott from you or from Toronto from Scott to you in Belleville. That is right? With one exception, he called you when he was in Belleville.

A. Yes, sir, that is correct.

Q. And in every one of those calls that passed between Scott and yourself he either told you there was going to be a raid some place or there was not going to be any raid that particular night. Isn't that right?

A. Oh, sir, we referred to generalities and we discussed each other's families and there was a lot of things we discussed.

Q. Listen to my question. I say,

on every one of those calls he either told you there was a raid to be carried out that night or he told you there would not be any raid?

A. Yes. Sometimes very matter of factly.

Q. I read every one to you. Do you want to say the notes you have made, which we have just gone over, are incorrect?

A. No, sir, they are certainly not incorrect.

Q. If every one of them says there was either a raid or nothing doing that night the note you made would be accurate. Isn't that right?

A. That is correct, sir.

MR. WILSON: I will have the witness stand down now, Mr. Commissioner.

THE COMMISSIONER: All right, just stand down.

MR. WILSON: And leave the hearing room.

THE COMMISSIONER: What time is it, Mr. Wilson?

MR. WILSON: Quarter after three.

---The witness withdraws.

do wrong and if those worse be between and you lower was a road so be crowded one time state or he told you there would not be any peace?

Q. Yes. Something very valuable or Jewelry.

Q. I said every one in you, Mr. you work to buy the noise you have made, which is very loud also very, and persuasive?

A. Yes sir, they are persuasive and

Q. If money was of that high value was either a safe or nothing during that night the noise you made could be overcome. Isn't that right?

A. That is correct, sir.

MR. MEYERS: I will move the stipulation that this was, Mr. Commissioner.

MR. [illegible]: All right, the motion denied.

Mr. [illegible] was lower the heating room.

MR. [illegible]: Thank you Mr. Mr.

MR. MEYERS: Continue before Mr.

---the witness stands.

MR. WILSON: Constable Moore.

JOHN WESLEY MOORE, sworn

EXAMINATION BY MR. WILSON:

Q. You are a member of the Ontario Provincial Police?

A. Yes, I am, sir.

Q. How long have you been with the Force?

A. Since June the 11th, 1954.

Q. You are in the anti-gambling branch?

A. Yes, I am, sir.

Q. What is your experience in tracing telephone calls through the period of your association with the Force?

A. About one half of our work on the anti-gambling branch involves the prosecution of bookmaking and in order to do this one of our methods is searching the records of the Bell Telephone Company to determine long-distance calls made by bookmakers. And this would -- time spent in the Bell would take up pretty near one half of our time, I would say.

Q. I think you prepared a summary of telephone calls passing between Belleville and Toronto, and in particular passing between

[illegible]

[illegible]

[illegible]

Q. You are a member of the Canadian Broadcasting System?

A. Yes, I am.

Q. And long have you been with the Canadian Broadcasting System?

A. Since June 1st, 1933.

Q. And you are in the well-equipped [illegible]?

A. Yes, I am, sir.

Q. What is your experience in arranging conferences with persons on opposite ends of the [illegible]?

A. Since one half of our work in the radio-telephone branch involves the arrangement of conferences and in order to do this one of our duties is to maintain the records of the Bell Telephone Company in connection long-distance calls and of conferences. We have been in partnership over one half of our time. I should say.

Q. I take you personally a member of Telephone calls between Montreal and Toronto, and in particular persons passing

the last witness, Wright, and Constable George Scott, and also Joseph McDermott?

A. Yes, I did, sir.

Q. And you have that summary with you?

A. Yes, I have, sir.

Q. How was that summary prepared?

A. This was prepared from all the long-distance telephone tickets which were in my possession, which were seized by the Provincial Police, and put down in date and time order. This summary contains some 231 telephone calls.

Q. Covering what period?

A. The first call is the date of February the 10th, 1960, and the last date is May 31, 1960.

MR. WILSON: This will be Exhibit No.159.

---EXHIBIT NO. 159: Summary of 231 telephone calls between Belleville and Toronto involving R.J.Wright, Constable George Scott and Joseph McDermott.

MR. WILSON: Q. Now, what numbers do we find recorded on these various calls in this Exhibit 159? Just a minute until the Commissioner is ready.

THE COMMISSIONER: Yes, I have it, thank you.

THE WITNESS: I can give you a breakdown of the 231 calls, if you wish.

MR. WILSON: Q. If you would.

A. We have a total of --

Q. Just go slowly, now.

A. We have a total of 95 telephone calls originating from Belleville, Ontario. 92 of these telephone calls originate from pay stations in Belleville - that is, 92 of the 95 I am speaking of. The other 3 originate from the residence of Roy Wood, a Provincial constable stationed in Belleville.

Q. That is the Wood that the witness who was in the box, Wright, said he was living with for a short time when he first went to Belleville?

A. Yes, it is, sir.

Q. Yes?

A. 71 of the calls are billed on telephone number Crescent 8-5289, which is registered as M. Gogek and Associates, a lawyer from Port Credit.

THE COMMISSIONER: Q. What number?

A. Crescent 8-5289.

Q. Which was what?

A. There are 71 calls originating from -- or, billed to that number, listed on the schedule.

Q. What did you say about Gogek?

A. He is a Toronto lawyer -- Port Credit lawyer. That is his telephone number. I believe the name of the firm is M. Gogek and

Associates, and the address I believe is 257B Lake Shore Road East, Port Credit, Ontario. 35 of the 231 calls listed on the schedule were made by Scott.

Q. Yes?

A. 3 of the calls on the schedule originate from the residence of Felix Borelli in Niagara Falls.

MR. MacKINNON: I am sorry, how many of those calls?

THE WITNESS: Three.

MR. WILSON: Three.

A. 8 of the 231 calls originate from a phone number in Niagara Falls listed to Paul Cote - that is, C-o-t-e. 5 of the calls --

THE COMMISSIONER: Q. C-o-a-t-e?

A. C-o-t-e, Cote. There is a French accent there.

Q. Yes?

A. Five of the calls originate from the residence of Albert Taube in the City of St.Catharines. One of the calls originates from the residence of Tom Church who resides in Port Arthur, Ontario. 6 of the calls -- Excuse me, I am in error there, my lord.

Q. There was one from Port Arthur?

A. Yes, I gave that, one from the residence of Tom Church in Port Arthur. 10 of

Lacerations, and the scheme I believe is
still some years away, very remote, however.
If of the 221 calls listed on the schedule
were made by Moby:

Q. Yes?

Q. I of the calls on the schedule
originated from the residence of Evan Gerald,
in Glasgow 14?

Q. Affirmative. I at Moby, 221 near
of seven calls.

The Witness. Yes.

Q. Listed. Yes.

A. 8 of the 221 calls originate
from a phone number in Glasgow 14 listed to
Paul Gore - Gore Ia, G-o-r-e. I of the
calls --

Mr. Gerald. I. Pa-u-l-?

A. Gore, Gore. Gore Ia.

Please repeat Moby.

Q. Moby.

A. Nine of the calls originate
from the residence of Albert Gore in the
City of St.Andrews. One of the calls
originated from the residence of the Gerald
residence in Port Arthur, Ontario. 6 of the
calls -- Excuse me, I am in error there,
my bad.

Q. There was one from Port Arthur?

A. Yes, I gave that, one from the
residence of Tom Gerald in Port Arthur. 10 of

the calls originate from the residence of Joseph McDermott at Port Credit. 2 of the calls originate from the Royal York Hotel. I believe the suite number is 2-262.

Q. Suite number?

A. 2-262.

Q. Yes.

A. And there is one -- Excuse me, my lord. The 8 I said -- I said were originating from the residence of Cote should be 9. There was -- The reason I said that was that there were 8 to the phone of McDermott and one to the phone of Pealey and I didn't add them together when I was giving them.

Q. Where is Bayside?

A. Well, those are included in the 92 Belleville pay stations, premises near Bellaville which, for the purposes of the schedule, I included as Belleville. There are two calls from Bayside and they are included in the 92 Belleville pay station calls.

That should add to 231, my lord.

MR. WILSON: Q. Now, apart from the pay station numbers, or telephone numbers in Belleville, what other numbers are involved in this summary where calls were made either to or originated from that location?

A. Well, in Belleville there would be the residence of Wood.

Q. Give us the numbers as you go along,

BR/3

would you, please?

THE COMMISSIONER: Two of them were from pay stations and three from --

MR. WILSON: He gave us the number of calls; I want the telephone numbers so that we can tie them in.

THE COMMISSIONER: How are you going to break down the 92 calls, by number, are you?

MR. WILSON: I do not think we need all the pay phones, Mr. Commissioner, unless you want them.

THE COMMISSIONER: You ask him the questions.

MR. WILSON: Q. I think you have made some sort of a summary of the pay telephones, where they were located, and then you have also made, on the same summary, a breakdown of all the further calls, 45 in number?

A. Yes. I was asked to make that summary and that is all the calls originating from Belleville to McDermott. There are 45.

Q. In the period February 10 to May 25?

A. Yes, that is correct.

Q. Yes. In addition, this summary gives the locations of the various telephones where calls were made from pay stations in Belleville?

A. That is correct, sir.

MR. WILSON: That will be Exhibit 160.

---EXHIBIT NO. 160: Summary of location of pay telephones in Belleville.

Q. Did you make a record of the number of telephone calls from Belleville to Scott, or have we got that?

THE COMMISSIONER: Not yet.

A. Yes. Of the 92 pay station calls 48 were to Scott. That is, of the 92 Belleville pay station calls 48 of those calls were to Scott. 42 were to the McDermott residence.

Q. I thought you said 45 were to the McDermott residence.

A. On this special summary which was prepared today.

Q. There were 92 calls from Belleville?

A. Pay stations.

Q. From pay stations?

A. Yes, sir.

Q. Of the 92 from pay stations how many were there to McDermott?

A. There were 42 to McDermott, one to Feeley.

Q. Just a moment. Yes?

A. And one to the Royal York. That is a total of 44. The remaining 48 were to Scott.

Q. Yes?

A. That is the breakdown of the 92 pay stations calls, my lord. From the Wood

residence, as I have said before, in Belleville there were three calls, a total of three. One of those was to McDermott's residence and two were to Scott's residence.

Q. Yes.

MR. WILSON: You will recall, Mr. Commissioner, so far as the Royal York number is concerned, by Exhibit 128 we found D.G. Humphrey was registered in 2-262 to 66, the suite.

BR/4

THE COMMISSIONER: What exhibit number was that? I have forgotten the number.

MR. WILSON: 128.

Exhibit 129 is a record of a call from that number -- or, from that room to Belleville, to Woodland 8-6223.

Q. Now, if we go over this summary, and I do not propose to go over it, I just want to understand it, if we look at the first entry on page 1 we find the day of the week, the date, the time, the place from which the call originates and the number at that location, and the place to which the call was made and the number at that location, together with the length of call. There is a column for remarks. The only thing that I think needs some explanation in that connection is "D.D.D."?

A. That stands for Direct Distance Dialing.

Q. Yes. So that if we look at this exhibit, and on the days where there are more than one call, we find them in chronological order in accordance with the time when the call took place?

A. That is correct.

Q. And the summary, as you have pointed out, covers calls other than calls passing between Scott, Wright and McDermott?

A. Yes, it does.

Q. So that, just as an example, if we want to see what Scott did after he received a call from -- at least, what Wright did after he received a call from Scott, we might look at February the 19th on page 1 and we find that there is a call there from Belleville to Woodland 2-0028, to Toronto, Howard 5-9138?

A. Yes.

Q. And the Howard number is Scott's number?

A. That is correct, yes.

Q. And, then, the next call that is listed is at 7:18 p.m., from the same number in Belleville, to Toronto, Howard 5-4240. What number is that?

A. That is the number of the Earl French Club in Toronto, here. It is located at Broadview and, I believe, Langley, at the corner of Broadview and Langley Street.

Q. The next call listed on that date is 7:28 p.m., from the same number. And what is the word following that number "Adams" in brackets, signify?

A. That was the name of the caller. I remember this call very clearly. The call started out to be a person-to-person call and the caller gave his name as "Adams" and, later on, he changed his mind and made it station-to-station but the operator did not strike out the name "Adams" which he had already given.

Q. And that was to Port Credit, Crescent 8-3783?

A. Yes.

Q. First, what was Woodland 2-0028?

A. That is a pay phone in the City of Belleville.

(Page 5274 follows)

CC/ADO'M/1

Q. And the Port Credit number of Crescent 8-3783?

A. That was an unlisted telephone number to Joseph McDermott.

Q. And then were there any changes in the number, the telephone number of George Scott, as we proceed through the list?

A. Yes, there are.

Q. What were those changes?

A. The first residence was Howard 5-9138, and the next residence was -- this is from memory, Oxford 4-0731, I believe.

MR. WILSON: That is right.

THE COMMISSIONER: Q. And the first one was Howard 5-913-- ?

A. Howard 5-9138, my lord.

Q. Howard 5-9138?

A. Howard 5-9138.

Q. Oxford 4-0731?

A. That is correct, my lord.

MR. WILSON: Q. Now, I think you have identified one Gogak number. There were two, as a matter of fact, were there not? Two Gogak numbers or one?

A. One, Crescent 8-5289.

Q. Then have you identified the numbers at the Belleville end, apart from the pay phones, by number?

A. No. No, I haven't, sir.

Q. Would you do that, please?

A. The residence of Roy Wood, the telephone number was Woodland 2-5705. The Ontario Provincial Police office ----

THE COMMISSIONER: Q. Just a moment. 2, what?

A. 2-5705.

Q. The Provincial Police Office in Belleville, as well?

A. Woodland 8-5507.

Q. Yes?

A. The residence of Robert Wright was Woodland 8-6223.

Q. Woodland 8, what?

A. 6223.

Q. Yes?

A. These are the only three numbers in Belleville on the schedule, with the exception of the pay station telephone numbers, of which there are some twelve or thirteen different numbers used.

MR. WILSON: Q. Then I think there were some calls to the District Headquarters. What was the O.P.P. number?

A. It was Woodland 8-5507.

Q. And who were these gentlemen, Cote and Taube?

A. Paul Cote is a stooge, as we call him, a flunkey for Felix Borelli in the City of Niagara Falls. That number listed to him is actually a bookmaking establishment in the

City of Niagara Falls, located at 1715 Victoria Avenue.

THE COMMISSIONER: Q. 1715?

A. Victoria Avenue, yes. He is a ---

MR. WILSON: Q. You say "is". Is now or was then?

A. Still is now, I would say.

Q. And what about ---

A. Albert Taube is from St. Catharines. He is the owner of the property where the Parkdale Recreation Club was located, and it is our belief that was the club that was to turn into a banked crap game. At the particular time we believed it was operated as a small rake-off poker game. He also is on the charter, the Parkdale Recreation Club charter at one point in its long history.

Q. He was a person who had kindred interests to McDermott, I take it?

A. I would say so, yes.

Q. This pattern of calls, the calls by Wright from Belleville, do they indicate any attempt at deception?

A. Definitely, yes, sir.

Q. Does this sketch which, I take it, is a sketch, a rough sketch or lay-out of Belleville, with the numbers 1 to 14, show the locations of these various telephone or pay stations that were used for this purpose?

A. That is correct, sir.

Q. And the legend is the different number that each of these pay stations had and that ties in, I take it, with Exhibits 160 and 159?

A. That is correct, sir.

MR. WILSON: This will be Exhibit 161.

---EXHIBIT NO. 161: Lay-out of Belleville showing location of various telephone pay stations.

MR. WILSON: Q. What suggests to you that there was an attempt at deception in the manner in which the calls were placed?

A. Well, there is one thing, the wide variety of telephones used. I think he used thirteen different telephones. And the second thing is that calls to Scott would be made from one telephone booth, and then on several occasions he would switch and either go to one nearby or one at another point in the city to make the second call, which was usually to McDermott.

Q. Now, would that make it a little more difficult to trace, if you were trying to tie up the calls made to some particular place?

A. Yes, it does make it more difficult.

Q. And what is the police practice in the Ontario Provincial Police about making a note in the diary of the number or place from which you placed a call, if you are making

a record of some particular call?

A. Well, if you wanted to corroborate the fact that you had made the call, it is well known to any member, particularly of the Anti-gambling branch, that the Bell does keep a record of long distance, and if you want corroboration of the fact that you did make a call to a certain number, you would certainly record the number from which you called so that the long distance ticket could later be found.

MR. WILSON: Thank you, that is all.

cc/2

EXAMINED BY MR. MacKINNON:

Q. Do you have your 1960 diary with you, constable?

A. I don't know whether I have or not. It will be in my bag.

Q. At the present time I am concerned with just these phone calls. I take it, Mr. Commissioner, this witness will be recalled.

THE COMMISSIONER: I don't know.

MR. WILSON: He will be recalled.

MR. MacKINNON: Yes, because I am interested in other aspects of knowledge he has on other subject matters. Right now I shall confine

a record of some particulars.

A. Well, I'm just going to summarize the facts which you had made the call, to be well known to our manner, particularly on the anti-conflict issues, the SEC has been a record on long distance, and if you were surprised at the fact that you did meet a call to a certain number, you would [illegible] Mr. Jones. Does anyone called on this the long distance number could have to speak.

MR. WILSON: Thank you, that is all.

EXAMINATION BY MR. BLUMENTHAL

Q. Do you have your light energy with you, [illegible]?

A. I don't know whether I have or not, it will be in my bag.

Q. At the previous time I do [illegible] with your [illegible] [illegible] I [illegible] Commissioner, have attempt will I be [illegible].

MR. BLUMENTHAL: I don't know.

MR. CHAIRMAN: We will be [illegible].

MR. BLUMENTHAL: May I [illegible] I do [illegible] in other [illegible] of [illegible] to [illegible] [illegible] [illegible] [illegible].

myself to these phone calls and the telephone list which he has put in.

Q. Have you got it?

A. Yes.

Q. I wonder if you could look at June the 3rd, 1960. Now, on that date did you secure some of this information which is now contained in these exhibits which have been filed?

A. Yes, I did, sir.

Q. Yes, and on that date -- I have in front of me Sergeant Anderson's diary for that date, and apparently you and he attended on the Bell Telephone to check the long distance tolls for McDermott or on McDermott; is that correct?

A. That is partially correct. We did attend at the Bell but it wasn't particularly on McDermott, it was on all long distance telephone calls.

Q. On all long distance telephone calls. I see in Sergeant Anderson's diary it says:

"Mr. Anders -- George Reid Junior

"to pick up toll."

Can you help me with that? What does that mean?

A. I better tell you the story from the beginning, so it is understandable.

Q. Yes, I appreciate that.

A. I arrived at the Bell in the morning,

[illegible] do [illegible] [illegible] [illegible]

some time around 10.00 or 10.30 in the morning, and I had in my possession a warrant to search all long distance telephone calls which were billed to any and every present telephone, and this was a fairly long process, so that Sergeant Anderson, he joined me about, it was before noon.

Q. Yes?

A. And we conducted a search through the records, looking for a pattern of long distance calls to any one phone number. And at about 4.00 p.m. we found this pattern.

Q. Yes?

A. And just as we had the pattern in our hand, or this telephone -- long distance in our hand, a girl by the name of Mrs. Janet Gallagher, who was an employee of the Bell, came over and asked for these long distance tolls which we had in our hands.

Q. Yes?

A. And we were quite astonished and told her she couldn't have it.

Q. What was that long distance toll you had?

A. Crescent 8-5289.

Q. Is that the one that is registered to Gogek's office?

A. That is correct, yes.

Q. All right, please continue.

A. The manager -- there was a discussion

ensued between Mrs. Gallagher and the manager and Sergeant Anderson and myself, and he instructed Mrs. Gallagher not to give out the tickets. And she said there was a man on the way to pick them up, a Mr. Anders.

THE COMMISSIONER: Andrews?

A. Anders, she said, A-n-d-e-r-s.

THE COMMISSIONER: Yes.

MR. MacKINNON: Q. So did you wait for Mr. Anders?

A. He arrived about 4.30p.m.

Q. Yes, and you were there?

A. Well, this is on the second floor of their building at 2150 Bloor Street West, and Mrs. Gallagher was called out of the office to go and meet this Mr. Anders.

Q. What did Mr. Anders ask for? Apparently he must have telephoned or some one else telephoned earlier to this Janet Gallagher, to advise her that he was coming down to pick up the toll list or the toll tickets?

A. Yes, that is correct. Mrs. Gallagher said that a Mr. Gogek, a customer ---

Q. Yes?

A. --- had called and wanted all his long distance telephone tolls.

Q. For how long?

A. The entire toll. They keep two months' toll.

Q. He wanted the whole bundle?

A. Yes.

Q. All right.

A. And he told her at the time, on the telephone, that he was sending a Mr. Anders down.

Q. That is right. All right, she has gone out and met Mr. Anders. What happened next?

A. Then she returned up to where we were, and we were near the window that overlooks Bloor Street, and she pointed out the window and said, "There is Mr. Anders there", and Sergeant Anderson and I immediately recognized him as George Reid.

Q. Now, who was George Reid?

A. George Reid, I would describe him as an associate of Joseph McDermott.

Q. Yes?

A. Always, nearly always present at the Vets Club in Cooksville. And I believe he runs a snack bar there. I believe that is what his job was there.

Q. Did you at any time, subsequently, interview him as to why he was at the Bell Telephone that day?

A. Yes, I did.

Q. And what was his story?

A. Can I check my notes on that?

Q. Yes.

A. He refused to answer. I asked him

if Gogek had sent him to the Bell to get the long distance toll records, and he said he refused to answer any more questions. "My lawyer will take care of that."

Q. That was the extent of the conversation on that subject then, was it?

A. That was it. It was very brief.

Q. When had you or Sergeant Anderson made up your mind to collect these tickets?

A. Prior to Wright's arrest.

Q. I see. And how many people would know about that?

A. Chief Inspector Graham.

Q. Yes?

A. Constable Scott. Sergeant Anderson.

Q. Yes?

A. And myself.

Q. Do you know whether it was discussed ---

THE COMMISSIONER: Don't go too fast.

Q. And the only people present who knew of this besides you and Anderson, were whom?

A. Constable Scott and Chief Inspector Graham.

THE COMMISSIONER: Yes.

MR. MacKINNON: Q. Was it discussed, do you know, with any member of the Attorney General's Office?

A. Not to my knowledge.

Q. I take it, then, that this is common practice, is it, in matters of this kind, say

bookmaking, I believe you have told us, for the anti-gambling squad to check the toll tickets; is that correct?

A. It is common practice to check toll tickets. It is not common practice to check all the toll tickets in one complete exchange.

Q. But to check toll tickets. And I take it, then, Police Constable Wright would at least know about this practice. He had done it himself, I take it?

A. Oh, yes, yes.

Q. Yes. Then, did you speak to Mr. Gogek at any time, to ask him as to how his phone number came to be used?

A. Yes, I did.

Q. Will you tell us about that conversation?

A. This was on Monday, June the 6th, 1960.

Q. Yes?

A. And he made the statement that he did not phone Feeley on Friday. That would be the previous Friday, June the 3rd.

Q. That is the day you were there?

A. Yes.

Q. Yes?

A. He told me that Vincent Feeley, when I asked him how to explain these calls, he said Vincent Feeley had approached him and asked -- that is, asked of Gogek, to let him bill long distance calls to his phone.

Q. Yes?

A. And he said this approach was made six or seven months prior. That would be prior to June 6th, 1960.

Q. And did he say why he acquiesced in this, I might say, rather unusual request?

A. Well, he said he had -- he was a

CC/3

lawyer for Feeley.

Q. Yes?

A. And put through several real estate transactions, and he did it as a favour.

Q. Pardon?

A. He did it as a favour.

Q. As far as you are aware, he didn't say he asked any question and got any explanation from Feeley as to why Feeley would want to use Gogo's number for the purpose of charging long distance calls?

A. No.

Q. No explanation?

A. He never gave me any, sir.

Q. I take it that there was some arrangement, atleast, that Feeley or McDermott would be paying for these calls. Did he explain that?

A. Yes, he did. He stated that none of the calls were made from the office. That is, his office.

Q. That is right.

A. I am sorry, my lord, I had two dates

with Mr. Gogak. I know he did tell me. I just want to make sure. From memory, he said that Feeley would come in about once a month and they would go over the Bell statement which he received from the Bell, and Feeley would pick out the calls which he was responsible for and then would pay Mr. Gogak. I believe he said they averaged $40 to $50 a month.

Q. Did he indicate -- this arrangement would certainly indicate -- but did he indicate orally to you that he knew Feeley quite well?

A. Yes, he said he knew Feeley well.

Q. Did he indicate he knew of the business Feeley and McDermott were in?

A. Yes, he did.

THE COMMISSIONER: Q. What did he say about it?

A. I have quite a few notes here, my lord.

Q. Give us the substance of it.

A. He said he knew they were the power behind the Vets Club at Cooksville. I think that is the word he used, "power". And he knew they were bookmakers. He knew that Ryan and McDermott and Feeley were partners in their bookmaking business.

MR. MacKINNON: Q. Did you mention Reid to him?

A. Yes, Reid was mentioned.

Q. What did he say about Reid?

A. He had -- I believe he said he had

had a real estate transaction, handled a real estate transaction for Reid, and he met him at the Vets Club on the one occasion he was there.

Q. From what you gathered from Mr. Gogek, am I correct in stating that at the time he allowed his telephone number to be used for the purpose of charging long distance telephone calls by Feeley or McDermott, as it turns out; he knew what type of business, if you can call it that, that Feeley was in?

A. That would be my opinion, yes. I don't know what he know, but from what he said I would have to surmise.

THE COMMISSIONER: Q. He told you McDermott and Feeley were the power behind the Vets Club and they were bookmaking?

A. That is correct, my lord.

MR. MacKINNON: Q. A pretty fair indication he had an accurate knowledge?

A. That is true.

Q. When he mentioned Ryan -- it was James Ryan, is that it? Is that the man's first name?

A. That is correct, sir.

Q. Was he talking about James Ryan in the present tense -- or present tense, I should say, that he was a bookmaker?

THE COMMISSIONER: Or had been?

MR. MacKINNON: Q. Or had been or still is?

A. He said about Ryan, he said that

Ryan did tell him, and I thought this was recently, that he had separated his partnership with McDermott and Feeley and was now in the bailiff business.

Q. In discussing this new position of Mr. Ryan's ---

THE COMMISSIONER: Q. Did he speak of Ryan, McDermott and Feeley as being partners in the bookmaking?

A. Yes, he did, my lord.

MR. MacKINNON: Q. Did he, in discussing Ryan and his new occupation of bailiff, did he state that he had helped get him that position or job?

A. No, he did not.

Q. Do you know whether James Ryan has been raided since that interview you had with Metcalfe or -- with Gogek?

A. Raided?

Q. Yes.

A. No, I don't know. Not to my knowledge.

Q. So far as the toll records are concerned, what becomes of the old toll records?

A. They are kept. The practice of the Bell used to be to keep what we call a back toll or older toll three months back.

Q. Three months back?

A. Yes. Now they have changed their practice and it is two months back.

Q. What do they do after the two or

three months period has elapsed?

A. They are destroyed.

Q. They are destroyed?

A. Yes.

Q. I notice you were reading -- you weren't keeping a secret diary too, were you?

A. No, I wasn't.

Q. I noticed you were reading from a little booklet or two or three little booklets. What are those, as opposed to your diary?

A. These are my notebooks. Police notebooks.

Q. And do you transpose from those notebooks into your diary?

A. No. The diary is a record, not in detail. It is only a record and supposed to be brief, according to our orders. Just where you were and what time and who you spoke to.

Q. And those notebooks are more detailed?

A. They are more detailed.

Q. Have you a number of those for each year?

A. Depending on how busy you are.

Q. Yes.

MR. MacKINNON: I wonder, Mr. Commissioner, if this witness could produce his diary from 1955 on?

THE COMMISSIONER: Diary?

MR. MacKINNON: Diaries and notebooks.

THE COMMISSIONER: Yes.

MR. MacKINNON: M. So we might have a chance to look at them.

THE COMMISSIONER: You don't want to litter up this ---

MR. MacKINNON: No, I just want to have a chance to read them, and I want certain information in regard to other matters.

THE COMMISSIONER: Q. You will get those?

A. Yes, I will, my lord. Excuse me, my lord, did you say my diaries from 1955 on?

MR. MACKINNON: Q. That is right.

A. And all my notebooks?

Q. Yes, all your notebooks, because they are, apparently, more detailed?

A. Yes.

THE COMMISSIONER: Any questions?

MR. BREWIN: No, not at this time.

THE COMMISSIONER: Mr. Rose?

MR. ROSE: No, thank you.

THE COMMISSIONER: Mr. Wilson?

MR. WILSON: Yes.

EXAMINED BY MR. WILSON:

Q. This search you made at the Bell Telephone Company was a week after the arrest of Wright?

A. It was June the 3rd. I believe Wright was arrested Saturday, May 28th, and it would be the following Friday. Yes.

Q. When you say there were only four of you that had knowledge of the investigation or search, that would be in the O.P.P. They would be the only persons who knew about it?

A. Yes, in the O.P.P.

Q. Is it reasonable that McDermott or those associated with him after the Wright arrest, would make some attempt to cover their tracks?

A. Yes, I would think so. Although this system, the searching of the record, I think this was the first time we had done that. I don't know whether they thought of it in time. Evidently they didn't.

Q. Is it possible that they thought of getting these Gogek toll tickets back, but were just a little bit too late?

cc/4

A. Well, it would be possible.

Q. Well, it is what one would expect them to do; isn't that true?

THE COMMISSIONER: Well, they did.

MR. WILSON: I don't want any unfair

reflection on the four people who knew, without bringing forth the other possibilities.

MR. MacKINNON: I have already brought it forward. I said Police Constable Wright knew this practice.

THE COMMISSIONER: What time is it, gentlemen?

MR. WILSON: Are you going to have a ten minute adjournment?

THE COMMISSIONER: We are going to adjourn to-night until Tuesday. Do you want to adjourn at this hour to take a breather or go on for thirty minutes? I am in your hands.

Don't be so silent. We lost some time earlier to-day, that is all.

MR. WILSON: We could take a ten minute recess and go on until 5.00, Mr. Commissioner.

THE COMMISSIONER: All right.

---A short recess.

(Page 5295 follows)

relaxation on the first passing off-ramp, between Evelyn Drive and Wood Crescent.

Mr. Hamilton: I have already brought it forward. I know Brian Tomalty actually had this problem.

The CHAIRPERSON: What time is it, gentlemen?

Mr. MILSON: Are you going to have a two-minute adjournment?

The CHAIRPERSON: We are going to adjourn to-night until Tuesday. Do you want to adjourn at this hour to take a breathing or go on for fairly elements? I am in your hands.

Mr. TOMALTY: We have some fine service to-day, that is all.

Mr. MILSON: We could take a ten minute and go on until 5.00. Mr. Chairperson.

The CHAIRPERSON: Yes Milson.

--- A short recess.

Upon Bell Rung

DD/1/SW

---On resuming:

MR. WILSON: Constable Wright.

ROBERT J. WRIGHT, Recalled

MR. WILSON: Give the witness a copy of Exhibit 61, in front of him.

EXAMINED BY MR. WILSON:

Q. I want to return to page 3 of Exhibit 61 -- the Scott report. Under the date of February 13th, '60, you will see reference ---

THE COMMISSIONER: What page?

MR. WILSON: Page 3, under the date of February 13th.

Q. Now did you meet P.C. Scott on that date at the Wallace Hotel?

A. Sir, could I have my notes again, please?

Q. Well, where are your notes?

A. They are here, sir.

MR. WILSON: Give him a copy of his notes.

THE WITNESS: 9:30 p.m., yes, sir, I met Scott in the men's beverage room of the Wallace Hotel, sir.

MR. WILSON: Q. And did you insist that he go to the washroom with you, and that you

searched him for a tape recorder?

A. Yes, I did, sir.

Q. Well, why did you do that?

A. Well, sir, I wanted to impress on his mind, that for him to get the impression that I was -- that I was in with the gamblers, sir.

Q. And did you come to some agreement at that meeting, that he would join with you and enter your enterprise?

A. Yes, I believe we did come to an agreement here, sir.

Q. And did you show him $400 and say, and tell him that yougot that from the gamblers?

A. Yes, sir, I did, sir.

Q. But you didn't tell him on that occasion who the gamblers were, did you?

A. No, sir, this money was money that I had in my house and I had it prior to that. I had come in to Toronto and showed this money to P.C. Wood and asked him to record the serial numbers of the money.

Q. Now P.C.Wood wouldn't know anything about this plan you had - this investigation you were undertaking?

A. No, sir, other than I told him I was doing an investigation, that's all, sir.

Q. Did he know you were contacting Scott?

Government has got a lot of problems.

Q. Yes, I will, sir.

A. Well, they did get in touch

A. Well, sir, I wanted to improve

on the money that had to go into improvements

since I was -- when I was in with the problems,

sir.

Q. And did you come to some

agreement as that meeting, that he would join

with you and solve your problems?

A. Yes, I believe he did come to

the agreement with, sir.

Q. And did you also find out

why, not only has Coral Lagoon lost land on

your lease?

A. Yes, sir, I did, sir.

Q. And you didn't call him on that

occasion and the questions were, did your

A. No, sir. Just -- -- -- -- money

that I had in my house and I had to pay for it

also. I had come to be interest and charge

this money to T.C. Hodge and asked him to return

the partial payments of the money.

Q. Now I.C. Hodgkin's house

anything about this plan you had - this

improvements and new buildings?

A. No, sir, other than I told him

I was going to improvements, that's all, sir.

Q. And he came to your assessing

house?

A. No, sir, I do not think he did.

Q. But you say you showed him the money, and did you have him record the serial numbers of the bills ---

A. Yes, sir, I did.

Q. And you didn't tell him that you were associating with Scott as part of your investigation?

A. No, sir.

Q. No, and then on that occasion did you still refrain from telling Scott who your contacts were?

A. Yes, I did not tell him whom contact was, at all, sir.

Q. And was it at that meeting that you worked out a code for the telephone conversations?

A. Yes, sir, we did.

Q. And also --

THE COMMISSIONER: Just a moment.

Q. You didn't tell him what the contact was?

A. No, sir, I didn't tell him I had been talking to ---

Q. I beg your pardon?

A. I didn't tell him I had been talking to McDermott at all, sir.

Q. Why?

A. Because, sir, I didn't -- as I said before, I wanted him to get the impression

I was in with the gamblers, and thought that he was properly in with McDermott at the time and I wanted to play him along at the same time as playing along with McDermott.

MR. WILSON: Q. You thought he was already in with McDermott - that was your theory?

A. I was investigating to see if he was, sir.

Q. I see. And at that meeting did you tell him you would call him every night from Belleville starting on February 15th?

A. Scott and I had a discussion - an arrangement - and agreed to that, yes, that I would call him every night.

Q. So then you did pretty well do that after February 15th?

A. Yes, sir.

Q. Why did you use so many various pay stations as the phones that you used for that purpose?

A. Well, it was just whatever was the nearest phone booth.

Q. But --

A. There was no reason, just convenience - if I was near it at the time, I phoned from the pay phone.

Q. Most of these calls were in the evening,weren't they?

A. I believe, yes, a lot of them were, yes sir.

Q. And what was your normal working day at that time?

A. Sir, if I could -- I was on shift work, sir, and I couldn't tell you the exact hours.

Q. You mean you were on shift work - what are some of the shifts you were on? What were they?

A. Oh highway patrol, the shifts were eight to four, four to twelve, and twelve to eight. On detachment shifts, it would be nine to two, no -- nine to five, or five to two.

MR. ROSE: Mr. Commissioner, I wonder if I might interrupt one moment. The witness has told that he might be in a better position to answer some of these questions if his diaries were available. Evidently his diaries are in the possession of District Headquarters. He doesn't have them, and he might be able to inform himself far better if they were made available.

THE COMMISSIONER: Suppose he trusts his memory without the diaries first.

MR. ROSE: I just thought everyone else is using diaries to refresh their memories, sir.

MR. WILSON: Q. Now how often did you switch your hours of work?

A. I am only guessing now. There

Q. Had what was your usual working day as then Chief?

A. Sir, if I could -- I was on shift work, sir, and I couldn't tell you the exact hours.

Q. You mean you were on shift work - what was the time of the shift you were on? What were they?

A. On highway patrol, the shifts were eight to four, four to midnight, and twelve to eight. On detectives shifts, it would be nine to two, no -- nine to five, or five to two.

(M. STEIN, QC, PROCEEDING, I mention it I might interject and remind. The witness has said that he might be in a better position to answer some of these questions if his diaries were available. Currently his diaries are in the possession of Ontario Ombudsman. He doesn't have them, and he might be able to indicate himself for instance if they were more available.

THE COMMISSIONER: Suppose he refresh his memory without the diaries first.

M. STEIN: I just thought everyone was in agreed that to refresh their memories, etc.

MR. O'BRIEN: Q. How often did you patrol your beats of west?

A. Two-day patrol beat. Then

would be - because there were two different so-called shifts working out of that district headquarters - there was, as I say, traffic shift and detachment shift. I believe, I believe detachment shift was the two-week shift and then it changed to one-week shift. In other words, I worked one week working from nine to five. At first I would be working for two weeks from nine to five, and then it would change from five to two and two weeks at that. And then it changed that we'd work one week from nine to five and one week from five to two.

Q. Well, during this period, February 10th to April 22nd, part of the time you would be off duty when you made calls and part of the time you would be on duty. Is that right?

A. Yes, sir.

Q. Is there any reason, from your point of view, that there should be any secrecy about the calls youwere making in connection with your investigation?

A. Any secrecy --

Q. Yes?

A. No, I didn't think there should be any secrecy about the calls.

Q. So that it just happened that you were using fourteen pay stations for the purpose of making these calls, and you just

happened to be near those particular stations, is that it?

A. Yes, sir.

Q. And it would just be -- would there be any reason for you to, say, to make a call to Scott at one station, and then go to another station to make a call to McDermott?

A. No particular reason, sir, no.

Q. It makes it a little harder to trace, wouldn't it?

A. No, the Bell Telephone calls can be traced at any time, sir.

Q. But I said it makes it a little harder, wouldn't it?

A. No, I don't think it makes it any harder, sir.

Q. I see. Now on February 29th, you had a meeting with Scott at the Pilot Tavern, and at that meeting ---

THE COMMISSIONER: February the what?

MR. WILSON: The 29th, on page 5 at the bottom.

THE WITNESS: Sir, are you referring to these reports here, sir?

THE COMMISSIONER: Page 5.

MR. WILSON: 5, of Scott's report, yes.

Q. Did you have such a meeting?

A. Yes, sir, I did.

Q. And that was a meeting at which

you had a discussion with Scott about Lawrence and Lamorie?

A. Yes, first I contacted him at the house, and then I met him later at the Pilot Tavern, yes sir.

Q. Well, at that meeting, or at a later meeting that same day, did you tell Scott that there were two informants on the branch that were working together?

A. No sir, he told me. This was the first thing, in fact -- In fact, that is the first thing he told me when I met him, that Lamorie and Lawrence were tip-off men for Sam Balsom at St.Catharines. I asked him why he figured that, and he stated, "Lamorie would do anything for a dollar, and Lamorie played golf at the Cherry Hill Golf Course with Harry." And he said, stated, "A good friend of Lamorie's plays there also and this friend is a close friend of Sam Balsom."

Q. Now did you have any reason to suspect Lawrence and Lamorie of being tip-off -- tip-offs to the gamblers?

A. No, sir, not until -- Because everybody was under -- I was suspecting everyone.

THE COMMISSIONER: You didn't suspect him then, you just said so.

A. Well, from the beginning of my investigation, your lordship, I suspected

Q. Did you ever see Mr. Smith [illegible] any longer?

A. Yes, since I commenced this as and hours, and then I had had lunch-at the Elite Dessert, yes sir.

Q. Well, at that meeting, or at a later meeting that came day, did you tell Smith that there was the [illegible] or by second hat was making suggestion?

A. No sir, he told me. When was the first time, in fact -- In fact, what is the first thing he told me when I met him, that Jewish [illegible] [illegible] for the Palace at Saratoga. I asked him why he figured such, and he stated, "Jennie was trying to [illegible] the [illegible] [illegible] [illegible] with Harry." And he said, stated, "A good friend of Jennie's plays there also and this friend is a close friend of the [illegible]."

Q. Did you ever see [illegible] to support Jennie and [illegible] of [illegible] Harry -- [illegible] in the [illegible]?

A. No, sir, not until -- [illegible] everybody was there -- I was [illegible] [illegible].

The Commissioner: Do [illegible] [illegible] the [illegible], you [illegible] [illegible].

Q. Well, from the beginning of my [illegible], your [illegible], I [illegible]

everyone on the branch.

MR. WILSON: Q. You didn't on that occasion tell him something about Sammy Balsom getting this information and farming it out to others?

A. No, he told me that. He also told me that Sam Balsom was in a bowling alley, and Moore, Scott and Lamoria were all talking to him, and this was before they raided the club.

Q. So while he swears you told him about it, you are now swearing that he is the one that told you?

A. Yes, sir, that's what he did tell me.

Q. So you've got -- your stories don't agree on Sammy Balsom then?

A. They agree that I believe that we came to a conclusion, that after our discussion, that we thought that possibly he could be tipping off the gamblers, yes.

Q. Well then, on that occasion did you have a discussion with him about Iannuzzelli of Niagara Falls?

A. I made no note of it at the time.

Q. Do you recall it?

A. I recall there was a discussion of Iannuzzelli because he was believed a gambler in Niagara Falls, by our squad, and he was also designated as a keeper of this Ramsey

[illegible] on the Bennett.

MR. MILNOR: Q. You didn't go upstairs until the evening then, Mr. Adams?

A. No, sir.

Q. Do you know Mr. Adams?

A. Yes, I know him.

Q. Do you know Mr. Adams was in a position to see, Mr. Morgan, Smith and Lindsay were all walking to him, and this was before they reached the club.

Q. So while he swears you told him about it, you are now swearing that he is the one who told you?

A. Yes, sir, that's what he did tell me.

Q. So you've got -- your stories don't agree on Sammy Bennett then?

A. They agree that I believe that he was in a wheelchair, but after the discussion that we thought that possibly he could be claiming out the gambling, yes.

Q. Well then, on that occasion did you have a discussion with the owner [illegible] of Hackensack Racing?

A. I made no mention of it at the time.

Q. Do you recall it?

A. I recall being the [illegible] of Hackensack because he was [illegible], [illegible] Fritz, [illegible] the house, and he was also [illegible] as a keeper of [illegible]

Club in the brief that our branch had received.

Q. Well, did you say anything to Scott about the possibility of Iannuzzelli being behind a new club that there was talk of opening in St.Catharines?

A. No, sir, I did not.

Q. You deny that?

A. Yes, sir.

Q. Now on that occasion,did you have some discussion about the hearing at Queen's Park in regard to the cancellation of the charter of the Vets Club at Cooksville?

A. I never made note, but we could have, because we possibly discussed it prior to this.

Q. Well, you discussed it prior?

A. Yes.

Q. Who had raisedthe question?

A. (No answer)

THE COMMISSIONER: Q. Can you answer?

A. Yes, sir, I am trying to refer to my notes tosee.

Q. Don't you remember?

A. Sir, I can't swear to something that is so long ago for exact.

Q. All right.

A. It was Wednesday, February 17th I had contacted Scott in Toronto by telephone and he told me that there was nothing doing,

that is the point that we present but

[illegible]

Q. Okay, that has only implicitly [illegible]

[illegible] Commission's [illegible]

[illegible] a new line [illegible] that

at [illegible] on [illegible]

A. Yes, sir, I did [illegible].

Q. [illegible]

A. Yes, sir.

Q. Now on page [illegible]

[illegible] MARGINALIA [illegible]

[illegible] to [illegible] be the [illegible]

of the [illegible] of the view [illegible]

Q. I [illegible] [illegible]

[illegible], [illegible] [illegible]

[illegible] [illegible].

Q. [illegible] [illegible]

A. [illegible].

Q. [illegible]

A. (No answer.)

Q. [illegible]

Q. Okay, also, I [illegible]

[illegible] [illegible].

Q. [illegible]?

A. Sir, I don't [illegible] [illegible]

[illegible] [illegible] [illegible].

Q. [illegible]

Q. [illegible] [illegible], [illegible] [illegible]

I [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible].

except that Sergeant Anderson attended at a meeting at the Parliament Buildings, and that Napolitano testified at the hearing. This was on the 17th, while after the 17th we probably brought it up several times after.

Q. I ask you to look at page 6 of Scott's report, and the fifth paragraph down:

"We touched briefly on the hearing "at Queen's Park ~~xxxxx~~ with regard "to the attempted cancellation of "the Provincial charter held by "the Vets Club at Cooksville. P.C. "Wright said that he understood "the 'fix' was on at Queen's Park "and that the charter would be "retained. He said that the charter "was to be cancelled, but someone in "the Department of the Attorney-"General had blocked the proceedings."

Now, did you, on that occasion or on any other occasion, make such a statement to Scott?

A. No sir, I certainly did not.

Q. And you are swearing on your oath that you never made any such statement?

A. No sir, I did not. He made that up like he has made up a lot of this stuff up.

Q. You say that he just made that up?

A. Yes, sir, because he was talking

[illegible] Tyler Company business associated on a weekday at the Yorkshire building, and was functioning satisfied on the morning. Did you in the City, really carry out its in product-bought in an unusual manner.

Q. I ask you to look at page 6 of Ernst's report, and the fifth paragraph begins "In general terms in the accounts with regard to the reorganisation consolidation of the Everlasting [illegible] was not [illegible]. Yes. Things would have be possessed [illegible] the 'fix' was on as Queen's Park [illegible] had the lawyer would be [illegible]. It would have the answer was to be conciliated, but someone in the Department of the Attorney-General had blocked the proceedings." Now, did you, at that stage, or at any other occasion, have such a statement in mind?

A. No sir, I certainly did not.

Q. Did you ever mention to your [illegible] that you never made any such statement?

A. No sir, I did not. He made that up like he has made up a lot of this story.

Q. You say that he just [illegible]

A. Yes, sir, because he was trying

about it and he is turning around and trying to say that I said it.

Q. Well, just tell what you were saying about that - those hearings?

A. In regard to the cancellation of the charter of this Vets Club, I told him previously that I had heard that there was a meeting at Queen's Park to cancel the charter, and I heard this from McDermott, because he told me when he first phoned me that he thought because - he thought I was on the investigation by myself to close the club and cancel the charter.

Q. Well, did anybody tell you the "fix" was on at Queen's Park?

A. No, sir, at no time did anybody tell me that.

Q. But did you, or had anybody told you at any time that someone in the Attorney-General's Department had blocked the proceedings in regard to the cancellation?

A. No, sir, not at any time.

Q. And you deny making such a statement to Scott?

A. Absolutely, sir.

Q. Now on that particular occasion, you made your first payment, didn't you, to George Scott, in the sum of $2 $400?

A. Yes, sir, I did.

Q. Now what had he done up to that

Good I'd not do anything without that trying to say that I said it.

Q. Well, just tell me you were always more -- more impressed.

A. In regard to the accomplishment of the character of this Young Girl, I mean the overhearing that I had heard over there was a meeting on Sunday here in Kamloops, and I heard this from Mr.Grant, learning in hell no when I'd been placed on that to thought because - I thought I was on the investigation to convict on like the Jim and always the accused.

Q. Well, did anybody tell you the "Jim" was on to Grant's land?

A. No, they did not tell me.

Q. But did you, or had anybody told you at any time that Grant in his Accountant's depositions had altered the proceedings in regard to the accomplishment

Q. Had you any reason such a statement to Smith?

A. Absolutely, Sir.

Q. Now on that preliminary examination, you made your first payment, didn't you, to Mr. Grant, in the year of 1?

A. Yes, sir.

Q. How much had he gone up to that

point to earn that money?

A. Up to that point?

Q. Yes.

A. We just had made an arrangement whereby we would receive - I told him that we would receive so much money per month, and that it would start on this - it would start on the 1st of March.

Q. I didn't hear that. To start when?

A. It would start on the 1st of March.

Q. Well, had he given you any information up to that time that justified any payment?

A. Well, the thing was, I made the arrangement with him to --

THE COMMISSIONER: Q. Can you answer the question?

A. What is that question again, sir?

MR. WILSON: Q. Well, had he done anything in the way of giving you information up to that date, the 29th of February, in respect to what he was entitled to be paid?

A. Well, he agreed to go along with our arrangement.

THE COMMISSIONER: Q. He hadn't done anything to justify a payment?

A. Well,yes, he conversed with me.

Q. Oh, he talked to you?

A. Yes.

Q. But he hadn't given you any information?

A. I'll have to check my notes, to see if he did or not, sir, but it was an agreement whereby I would pay him the first of every month.

Q. Tell me about the agreement now.

A. That I told him ---

Q. You agreed to pay him on the first of every month?

A. Yes, sir.

Q. How much?

A. It started out at $200 a month and he asked for more money.

MR. WILSON: Q. The $200 was to cover what period?

A. A month.

Q. What month? This is $400.

A. This period would cover the month of March and the month of February.

Q. And the month of February?

A. Yes.

Q. So he was getting paid for February?

A. Yes, he would be, yes sir.

Q. And at that time you say he was to get $200 a month, and then you said that later he wanted more money. Did you ever agree to give him more than $200 a month?

A. Yes, sir.

Q. When?

A. I believe it would be some time later.

MR. HOGG: It is five minutes to five, sir.

THE COMMISSIONER: Close to five.

MR. WILSON: Yes.

THE COMMISSIONER: Tuesday morning at ten o'clock.

---Whereupon the hearing adjourned at 4.55:p.m. until Tuesday, May 22nd, 1962, at 10:00 o'clock a.m.

VOLUME NO.....

IN THE SUPREME COURT OF ONTARIO

OVERHOLT

V.

MEMORIAL GARDENS ASSOCIATION
(CANADA) LIMITED et al

DAILY TRANSCRIPT
OF PROCEEDINGS

Date...Tuesday, 29th March, 1960.

pp. 4600 - 4761

Supreme Court Reporters
145 Yonge St.
Toronto

le Copy

Volume No. 26

Royal Commission on Crime,

Tuesday May 22/62.

P.P. 5310 ——— 5545.

IN THE SUPREME COURT OF ONTARIO

BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton, in the
County of Hastings, Deceased, and
WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, FRED A. LITTLE and
FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton,
in the County of Hastings, Deceased,
and WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, OLIVE RUSSELL LITTLE,
Executrix of the Estate of
Fred A. Little, and FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE ATTORNEY GENERAL OF CANADA,

Plaintiff,

- and -

HENRY POSTMA, FRED A LITTLE and
FREDERICK H. LITTLE,

Defendants.

VOLUME 26

INDEX OF WITNESSES

INDEX OF EXHIBITS

A/1/GS

TUESDAY, MAY 22, 1962

---On resuming at 10:08 o'clock a.m.

ROBERT J. WRIGHT, resumes the stand

EXAMINED BY MR. WILSON:

THE COMMISSIONER: You understand, witness, you are still under oath?

A. Yes, sir.

MR. WILSON: Now, have you got a copy of your diary, and the Scott report before you? It may simplify the -- Now, if you will just turn to page 6 of your diary, Exhibit 157. You recall calling on February 19th, 1960, at -- to Scott's residence, is that correct, and you were advised of a proposed raid on the Ramsay Club?

A. Yes, sir. That is correct, sir.

Q. Right, and then later that same day, did you contact Scott again about the ~~xxxx~~ raid?

A. Yes, sir, I did.

Q. And when you called him the second time, did you tell him that the club would be closed due to a bad snow storm which was sweeping the province?

A. Yes, I did, sir.

Q. And, of course, you were in

---On resuming at 10:05 o'clock a.m.

[illegible], [illegible] for [illegible]

[illegible]

[illegible]

[illegible]

you are until under oath?

A. Yes, sir.

Q. [illegible] Now, have you got a copy of your diary, and the book refers before you? It may simplify the -- Yes, if you will just [illegible] I've got diary, [illegible]. The recall calling on January 1st, 1956, is -- is Exer's residence, is that correct, and you were advised of a proposed meal on the January [illegible]

A. Yes, sir. That is correct, sir.

Q. Which, and then later that same day, did you conduct really again about the same [illegible]

A. Yes, sir, I did.

Q. And when you called him the second time, did you tell him that the old world is closed due to a red snow storm which was covering the [illegible]

A. Yes, I did, sir.

Q. And, of course, you were in

Belleville when all this was going on?

A. Yes, sir.

Q. How did you know the club was going to be closed?

A. Well, that was more conjecture than anything, but at the time I heard on the radio that all the highways were blocked in the Niagara Peninsula.

Q. So that you say that your statement to the effect the club would be closed is based simply on conjecture?

A. Yes, sir.

Q. But you had on that particular day been in touch, as usual, with Mr. McDermott?

A. Yes, I could have been, yes.

Q. Well now, on that particular date you had called Mr. McDermott at 7:28 p.m., and on that occasion did Mr. McDermott tell you the club was going to be closed?

A. No, sir. I recall distinctly that particular - that snow storm. It was one of the worst snow storms I believe for many years, and I can recall it was - I heard on the police radio it was all over the Province, and had been severe.

Q. What did you talk to McDermott about on that particular occasion?

A. I don't recall exactly what we talked about.

Q. Now, on February 29th, referring

Bayswater was not very far going our

A. Yes, sir.

Q. How did you know the club was going to be closed?

A. Well, that involves conversation rather, but at the time I heard on the radio that all the highways were blocked in the Albany region.

Q. Do you say that you did close the office the club would be closed in some sense or another?

A. Yes, sir.

Q. But you had on that particular day been in touch, as usual, with Mr. Rosenberg?

A. Yes, I could have done, yes.

Q. Well now, on that proposition that you had called Mr. Rosenberg at 7:45 p.m., and on that occasion did Mr. Rosenberg tell you the club was going to be closed?

A. No, sir. I recall distinctly that particular - that was some reason. In the one of the last two cases I believe the one reason, and I can recall it was - I heard on the radio there it was all over the Catskills, and had been snow.

Q. Had it been 1000 in Bayswater about on that particular occasion?

A. I don't recall exactly what we called about.

Q. Now, in January 1944, [illegible]

to Scott's reports of that date, which is page 5 of his reports, at the foot of that page, he quotes you as having said that 'on February 26th when the anti-gambling branch raided the club at Cooksville, P.C. Lamorie in the presence of 2 of the principals of the Vet's club was talking about phoning home to check on the condition of his daughter who was ill....

THE COMMISSIONER: I haven't found that.

MR. WILSON: It is at the bottom of page 5 in the Scott report, or reports, Exhibit 61.

THE COMMISSIONER: Oh, yes. I see it now. Thank you.

MR. WILSON: Q. 'was talking about phoning home to check on the condition of his daughter, who was ill. As he went to the pay-phone one of the principals of the club said, be careful you don't phone Sammy Balsom. At this remark Constable Lamorie supposedly became quite flustered, and stuck for words.'

Now, did you, on April -- February 29th, or at any other time, make a statement to that effect to Constable Scott?

A. No, sir, I did not.

Q. You did not, but you were -- you were present on that raid at the Cooksville Club on February 26th, weren't you?

A. I was present on the . . ?

Q. You were on the raid on February

26th at the Cooksville Club?

A. 1960?

Q. 19 ---

THE COMMISSIONER: Yes.

MR. WILSON: No, he couldn't have been present on that. You couldn't have been present on that raid?

A. No, sir.

Q. On February 26th, in 1960. That is quite right. But you are swearing now that you did not make the statement that Constable Scott attributes to you at your meeting on February 29th?

A. No, sir.

Q. Now, on March 13th, in the Scott report at page 9, he makes reference to a meeting that you had at Belleville about 11:15 on that date, Sunday, March 13th. Do you recall such a meeting?

A. Yes, I do, sir.

Q. And on that occasion did you tell Constable Scott that Felix Borelli was the thieves' representative at the Ramsay Club in Niagara Falls?

A. Yes, I could have told him that. I don't recall whether I did or not, but that was common gossip on the squad, that he was one of the representatives of the three thieves over in the Niagara Peninsula.

Q. Well, if it was common gossip on

the squad, why would you need to tell him?

A. Well, I would think that it was just a discussion we were having, and that that point came up, and he would have probably said it.

Q. Oh, you want to say he said it, do you?

A. Well, he could have said it, or I could have said it.

Q. Well, just a moment ago you said you might have said it.

A. I might have said it, yes.

Q. Yes. Did you ever discuss Borelli with McDermott?

A. I believe I had asked him during the investigation about a Borelli, and he didn't seem to know the man even existed.

THE COMMISSIONER: What?

A. He didn't seem to know the man even existed. When I asked him about Borelli he would -- he says Borelli who?

Q. You remember that definitely, do you?

A. Yes. Well, I can't swear definitely, but I do recall.

Q. Well, you just have.

A. Well, he could have talked about it, because I remember asking him about it.

Q. I don't want what you could have done; did you ever talk to McDermott about Borelli,

Q. Well, why did you want to tell him?

A. Well, I would know then if he was just a discussion we were having, and then when Jones came up, and he would have probably said it.

Q. Oh, you mean to say he said it to you?

A. Well, he didn't know that, so I could have said it.

Q. Well, just a minute, if you said you might have said it.

A. I might have said it, yes.

Q. Now, did you ever discuss anything with anybody?

A. I believe I did mention the matter to investigating about a lawsuit, and he didn't seem to know the man even talked.

MR. MONTGOMERY: What?

A. He didn't seem to know the man even talked. Then I asked the great Darwin he would -- he seem Darwin what?

Q. The statement was originally.

to you?

A. Yes. Well, I don't know definitely, but I do recall.

Q. Really, you just know.

A. Well, he could have called there as, because I remember making his mount is.

Q. I don't know what you could have done; but you ever talk to someone about Darwin.

was the question.

A. Yes, I did.

Q. Now, you are sure about that?

A. Yes, sir.

Q. Now, all right. What did you have to say to him?

A. I asked him - I told him that I had heard that there was a man over in the Lorelei Club in Fort Erie, and whether he knew him, and he said, "What man?" and I told him a man by the name of Felix Borelli, and he didn't seem to acknowledge that the man even existed. He didn't want to discuss the man at all to me.

Q. He didn't want to discuss the name?

A. Well, he didn't discuss the name. He says, "I know lots of people over there". He wouldn't say just who he knew.

MR. WILSON: Q. Well, you used the name the Lorelei. How long was it prior to 1960 that the Lorelei name was last used?

A. I am only guessing. It would be back about 1956, I imagine.

Q. How did you come to be talking about the Lorelei? Was it at the time the Lorelei Club was in operation that you had this talk with McDermott?

A. No, this talk would have taken place between January of 1960 and May of 1960.

Q. Yes, and had Borelli, to your

and the waiter.

A. Yes, I did.

Q. Now, you are sure about that?

A. Yes, sir.

Q. Now, all right. What did you mean to say to him?

A. I asked him - I told him that I was not aware that there was a bar in the Imperial Club in West Ends, and whether he knew it, and he said, "Sure sure" and I told him a man by the name of Wilson-Borrell, and he didn't seem to acknowledge that the man even existed. He didn't want to discuss the man at all so -

Q. He didn't want to discuss the matter?

A. Well, he didn't discuss the matter. He says, "I know lots of people over there". So maybe he just the is man.

Mr. Wilson: Q. Well, you used the name the Imperial. How long was it prior to 1929 when the Imperial name was last used?

A. I absolutely guessing. It would be back about 1926, I suppose.

Q. How did you come to be talking about the Imperial? Was it at the time the Imperial Club was in operation that you had this last conversation?

A. No, that talk would have taken place between January of 1929 and July of 1929.

Q. Yes, you had mentioned, to your

knowledge, been associated with the Frontier Club and its predecessors?

A. Yes, he had, sir.

Q. In Bertie Township?

A. Yes, sir.

Q. And how did you come to talk to McDermott about Borelli? What was the purpose?

A. I was trying to find out for myself if it was true that he was a representative of the three thieves.

Q. And did you ask him that question?

A. I asked him if he knew Felix Borelli and he didn't acknowledge at all. He says, "I know lots of people over there". He wouldn't tell me that he knew him.

Q. Well, did you ask him if Borelli was his representative at the Ramsay Club?

A. I don't believe I asked him that way at all. I can't say. I asked him if he knew the man, and when he said he didn't know the man, there was no further discussion.

Q. Well, what time did this discussion with McDermott about Borelli take place? Before your meeting with Scott on March the 13th?

A. I don't know just when it took place.

Q. Well, was it before or after?

A. I don't know whether it was before or after the 13th of March, sir. I don't know. I would only be guessing. It could have

Something been questioning why you [illegible]
that and the publication?

A. Yes, sir, sir.

Q. In Carson Township?

A. Yes, sir.

Q. And how did you come to talk to
[illegible] about Hamilton? Was that the question?

A. I was trying to find out if
[illegible] if it was some [illegible] to see a [illegible]
of the Lynch [illegible].

Q. And did you [illegible]

A. I asked him if he knew Polkie
[illegible] and he didn't remember [illegible] at all.
He says, "I know lots of people in Lynch Grove".
He wouldn't tell me what he didn't know.

Q. Well, did you ask him if Jones
was [illegible] at the Hickory Place

A. I don't believe I asked him that
way at all. I don't say. I asked him if
he knew the man, and then he said he didn't
know the man, there was no further discussion.

Q. Well, [illegible]
[illegible] Jones [illegible] have given [illegible]
your reading with Jones on meeting the [illegible]

A. I don't know just when it was
[illegible].

Q. Well, was it before or after

A. I don't know whether it was before
or after the 12th of March, sir. I don't
know. I would only be guessing. It could have

been before the meeting, it could have been after, sir.

Q. And would you have any reason on March the 13th to tell Scott that Borelli was the thieves' representative at the Ramsay Club unless it was true to your knowledge?

A. Oh, yes, I could have just told him that whether it was true or not. I probably told him. I was trying to -- At the time, I was trying to figure out what he knew about Borelli being a representative over there.

Q. Oh, but you told us that was common knowledge in the branch.

A. Yes, it was.

Q. Before?

A. Yes, it was.

Q. Before? You told me that just a few minutes earlier.

A. That is correct, sir.

Q. Yes. So I don't see much point in talking about something that he would know from common knowledge.

A. We talked about lots of crazy things, sir. I can recollect him telling me one time about a plan to hold up a Dominion store that he was scheming in his mind. I never paid any attention to it.

THE COMMISSIONER: Q. Who had schemed to lay the plan?

A. Scott.

MR. WILSON: Q. Now, when do you say this conversation took place?

A. I don't know when it took place, but I can recall.

Q. Well, do you know what year it was?

A. It was when I was on the squad.

Q. And where? Where did the conversation take place?

A. It would probably be on a trip. In fact, it was a trip out of town. Just where we were going at the time, I don't know, and we would be then in a department car.

Q. Wouldn't that be something that would be rather important to have a fellow officer talk like that?

A. Oh, it was just talk, sir.

THE COMMISSIONER: Q. What do you mean by that?

A. Well, just more or less I guess fooling around you would call it.

MR. WILSON: Q. You would say that that would be just fooling around, for a fellow officer to talk that way?

A. I would. Well, we used to fool around quite a bit on the squad.

Q. Well, I gather that. And I take it that you did not suspect him of anything by reason of that statement that he made to you while you were still on the squad?

A. Oh, no. No.

Mr. MILLER Q. Now, does do you say that

[illegible] had given?

A. I don't know when it was given.

Not I can tell.

Q. Well, do you know [illegible] by [illegible]

A. It was when I was in the [illegible].

Q. And where? Where did you

[illegible] have given

A. It would probably be on a trip.

In fact, it was a trip out of town. Just where

he was going at the time, I don't know, but

a trip for him is a [illegible].

Q. Wouldn't that be something that

would be rather important to have a fellow

[illegible] you like that?

A. Oh, it was just being [illegible].

Mr. [illegible]: Q. Was do you mean

by [illegible]?

A. Well, just more or less I guess

fooling around you would call it.

Mr. [illegible]: Q. You said and that that

would be just fooling around, for a fellow

officer to talk that way?

A. I would. Well, we used to find

around quite a lot on the [illegible].

Q. Well, I guess that. And I take

it that you did not suppose his of [illegible]

by reason of your [illegible] that he was in

the [illegible] you were [illegible] to be [illegible]?

A. Oh, no. No.

Q. Just didn't mean anything to you?

A. No, just one of his idiocies, that is all.

Q. Yes.

THE COMMISSIONER: Q. What? One of his . . ?

A. Well, that is what he did. That is, he would come up with different stories over the years, the same asI did with him probably.

Q. Well, did you come up with different stories over the years with him?

A. Yes. I can recall one time we were keeping observation up in - I believe in North York, we were keeping observation of an alleged bookmaking premises, and this was when Scott - when I told Scott all this, and we were in a plain car, in plain clothes, and we were parked in the street, and this school - there was a school nearby, and the school was let out for lunch, and these young children on their way home from school, and on their way to school, that would be after lunch, we were there for some period of time, they came bothering us, and fooling around with the car, so to get rid of them I started telling -- I started telling some fantastic story about tree mice, and they had talked about some rats at a dump, and I said, "Well, tree mice" I said, "are a very good price on tree mice" and stories like that.

Q. [illegible] anything in your

A. No, just one of his liquors,

once in a.

Q. Yes.

The Commissioner: Q. Have you of

his . . ?

A. Well, that is what he did. Then

he, he would come up with different stories

over the years, the same set his story was

pretty only.

Q. Yes, did you know his

different business? Did he ever talk

A. Not. I can recall one time we

were hauling concrete up in - I believe in

North Bay, we were hauling concrete of an

[illegible] [illegible], and this did

have - then I had been all wet, we were

in a plain car, in plain clothes, and we were

parked in the street, and this school - there

was a school nearby, and the school was let out

for lunch, and there some children on their

way home from school, and on their way to school,

they would be in our lunch, we were there for

some period of time, they were concerning us,

and looking around with the car, so to get rid

of them I started talking -- I started talking

some Frenchmen story among them also, and they

had believed about some man in a dump, and I

said, "Well, then what" I said, "for a very

good price on this stuff" and also had some other

MR. WILSON: Q. Yes. Now, we come to March 22nd in the Scott diary, or reports, and on that date did you telephone Scott as usual?

A. What date, sir, is this, please?

Q. March the 22nd.

A. Yes, sir, March the 22nd I phoned him -- no, he phoned me at my residence.

Q. He phoned you, and on that occasion did you tell him that Anderson was seen at the Bright Spot Restaurant in the City of Niagara Falls?

A. I haven't made a note of it, but I could have told him. I do recall a time when I had been talking to McDermott, and he said to me about seeing Anderson over in this Bright Spot Restaurant in Niagara, so ---

Q. Well, who had told you that he had seen Anderson in the Bright Spot Restaurant in Niagara Falls?

A. Well, McDermott just told me that they were seen over there, that is all.

Q. Oh, I see. It was through McDermott?

A. Yes, sir.

Q. And then on March the 22nd, by reference to your diary, Exhibit 157, you have this:

"He stated, after I asked him, "that no undercover men were "working at all over in the Falls area,"

Q. Looking at Mr. Jones, do you know Mr. Brown that is the Brown family, is somewhere, and on what date did you telephone Brown at Oswald?

A. That was, sir, in July, Friday before the Monday.

Q. Before the 4th?

A. Yes, sir, which was after I phoned him -- so, he phoned us at my residence.

Q. He phoned you, and on that occasion did you tell him about Bannerman and Hoey as the right sort personnel to use for an engagement?

A. I haven't been at liberty to say, but I could have told him. I to recall a time when I had been talking to someone, and he said he'd seen some people Bannerman over in Wale Bridge then Bannerman to Glasgow, in --

Q. Just, the 3rd July you mean? Bannerman had been happened in the Bridge then Bannerman to Glasgow Hotel?

A. Well, someone just told me that they were seen over there, that is all.

Q. Oh, I see. It was through someone?

A. Yes, sir.

Q. And you had been on phone by telephone to your diary, Exhibit 127, you have stated:

"He stated, after I asked him,

'Have no to-morrow nor worry

Nothing at all come to the Bridge crew.'"

Now, --

THE COMMISSIONER: What were you reading from, Mr. Wilson?

MR. WILSON: I am reading frompage 10 of the Wright diary, Mr. Commissioner.

THE COMMISSIONER: Oh.

MR. WILSON: Under date of March 22nd.

Q. Now, why did you ask him as to whether there were any undercover men working over in the Falls?

A. Oh, I don't recall why I would ask him that now.

Q. Did McDermott ask you to ask him that question?

A. No, he didn't, but Mr. McDermott used to constantly used to refer to undercover men working all over the Province, and I was under the impression that he thought - that he knew there were several undercover men working all over the province.

Q. So he was concerned about undercover men, I take it, in connection with his operation? That is, McDermott was?

A. He didn't seem concerned, but just as I say, he was always evasive, and he was sort of a jovial fellow on the telephone and ---

Q. So, on March 22nd, at the time you were talking about undercover men in the Niagara Falls area, as you say you were, ~~wak~~ what

would be the reason?

A. Well, it could have been that after McDermott having mentioned it to me probably around that period of time that I would have asked Scott to see if Scott did know if there were any undercover men working around.

Q. What report did you make on that to McDermott?

A. I never made any report to McDermott of what Scott told me. I don't - I don't understand what you mean by that, sir. I don't understand what he means by that.

Q. You don't understand what he means?

A. You say what report did I make to McDermott? I made no report to McDermott at any time of what Scott and me were doing.

Q. Well, you just phoned him about 42 times immediately after you got information from Scott about raids, but you are telling this Commission that on none of these occasions did you report any of the information Scott had given you?

A. No, sir. Never. Never reported any information to him.

Q. It was just coincidence that on 42 occasions you did phone him; in minutes you called up Mr. McDermott after you got that information from Scott?

A. It was not coincidence. I phoned Mr. McDermott to see if Scott - see if he had information that Scott was giving to me.

Q. Now, just give us an example of how you would get around to that when you called McDermott in the way that you put it?

A. Well, I would call him up and say, "How are you doing?". He would say, "Just a minute, I am busy" and I would hold on, and I would hold on for a minute, and I thought maybe he was talking or something on the telephone, because I couldn't understand so often he was there he always - I always had to wait for a minute or two, and then I would say, "What is doing?" and he would say, "There is nothing doing. I am prepared to put a road into the mining camp." And I would say, "Is that right?" and he would say, "Yes", he says, "We have got something money invested in the mining camp, and it looks like it is going to be a good - it has got good showings", or something to that effect. I just don't recall what he would say to that effect. And then we would talk about fishing, and we would talk about hunting, and sometimes I wouldn't even get a chance to talk to him, because if I asked, I would say, "Well, how are things out at your club there?" and he would say, "It is the same as ever. They are trying to cancel the charter out there, and I think

A. It was not cottage-cheese. I proposed Mr. McCormick to see if Scott - see if he had information that Scott was giving to me.

Q. Now, just give us an example if you can, of what you mean by saying to John Dean you had the calling Ehrlichman to the effect that you had lied.

A. Well, I would call him up and say, "How are you doing?", he would say, "Just a minute, I am busy" and I would hold on, and I would hold on for a minute, and I would hear the telephone, because I couldn't understand so often he was there he always - I always had to wait for a minute or two, and then I would say, "What is doing?" and he would say, "Stop is nothing doing. I am prepared to put a road into the mining camp." And I would say, "Is that right?" and he would say, "Yes", he says, "We have got something [illegible] in the mining camp, and it looks like it is going to be a good - it has got good showings", or something to that effect. I just don't recall what he would say to that effect. And then we would talk about Watergate, and we would talk about nothing, and sometimes I wouldn't even get a chance to talk to him, because if I said, I would say, "Well, how are things out at your club there?" and he would say, "It is the same as ever. They are trying to cancel the charter out there, and I think

you and Scott are trying to get me - to get us in trouble through the charter of the club.

Q. Well, is this ---

THE COMMISSIONER: Well, I don't think you are quite finished.

MR. WILSON: No, I don't think he has quite get around to the point yet.

THE COMMISSIONER: No, give him time. He eventually will.

MR. WILSON: Yes.

THE WITNESS: Well, that is the type of conversations we would have.

MR. WILSON: Q. You say that that would be a typical conversation, at the end of which you would know whether or not the information that Scott had given you a few minutes earlier was known to McDermott? Is that what you want us to believe?

A. Yes, that is correct, sir.

Q. And how long would --

THE COMMISSIONER: Q.In that typical conversation there was nothing to indicate whether he did or did not know?

A. In that --

Q. What Scott had said to you?

A. That is correct. That is the way Mr. McDermott --

Q. All right.

A. That is the way he was. He is always very evasive with me. I often wanted to

meet him face to face, and he would never meet me face to face.

Q. Well, that is a typical conversation?

A. Yes. Yes, sir.

Q. Night after night after night?

A. Yes, sir. He seemed more interested in mining than ---

Q. No, no, no. Never mind what he was interested in. I say that was a typical conversation, night after night after night?

A. Yes. I would eventually get around to asking him about any gambling activities, and he would hardly tell me anything about gambling activities.

MR. WILSON: Q. Well then, at the conclusion then how would you know whether he knew what Scott had told you?

A. Oh, on such things I wouldn't know.

Q. No. Well, out of the 42-odd calls you made immediately after getting the information, how many - on how many of those occasions that you called McDermott do you say that you learned as to whether he had knowledge of the raids, or no raids, on that day?

A. I can recall at least once that - that he did say that the squad is going to raid in Niagara Falls or Cooksville. I just forget which one it was, because I think there

was more than once, and he told me that he had heard that they were going to raid over there.

Q. On one occasion you recall that he did mention a raid?

A. Yes, sir.

Q. Yes, and as a result of this conversation you had with McDermott, did you come to any conclusion as to whether Scott was in direct contact with him prior to April 22nd?

A. Did I come to any conclusion?

Q. Yes? I think you have told us the other day that you didn't give Scott McDermott's number until around April 22nd?

A. That is correct, yes.

Q. But you, on this investigation, were trying to find out whether McDermott was getting this information direct from Scott, were you not?

A. Yes, that is what I wastrying to do. Either from Scott or someone else.

Q. And what conclusion did you come to prior to April 22nd about it?

A. I thought that he was, that Scott was, from the fact at this point he had never mentioned at any time that he had been calling to McDermott or called to Sylvestre in Guelph.

Q. Well, did you ever find any basis for the suggestion that he had been in

touch with McDermott prior to the time you gave him the telephone number?

A. Did I? Would you repeat that, sir?

Q. Well, did you find anything to support the idea that Scott had been in direct communication with McDermott prior to April 22nd, when you gave him the telephone number?

A. No, not other than him making different suggestions about different gamblers we discussed in general at our meetings.

Q. Now, these telephone conversations you had with McDermott, about how long were they on the average?

A. On the average? I would say, for an average, they would be about, oh, maybe three minutes. There was some more than that; some would be less than that.

Q. And on these typical conversations you had following receipt of information from Scott, when McDermott talked about gambling activities, what gambling activities would he be talking about?

A. Well, he was -- As I say, I would ask him about the club in Cooksville, and he seemed very -- seemed very willing to talk about the club at Cooksville, and often said it was a shame how us fellows used to raid the club constantly, and never get no evidence.

Q. Well, when ---

A. And he would explain to me his knowledge of what he thought was a bona fide social club, and he insisted it was a bona fide social club, although I recall many times me telling him that I suspected it was a gaming house, and while I was -- and when I was on the squad, and we all suspected that it was a gaming house, that he wasn't kidding me.

(Page 5330 follows)

B/1/BC

Q. And what else would he say about gambling activities?

A. Well, I can recall asking him one time about how -- what is a back to back bet, because that is something I really didn't understand the payoff of a back to back bet. And he would start to explain it to me, and when he finished I was very confused, because he would get off the subject and talk about things downtown, about his mining again. That is what I say, he was very evasive, I could never pin him down to anything.

Q. Did he ever express any concern about you spending a hundred dollars a month and more on telephone calls from Belleville?

A. One hundred dollars a month? I never spent a hundred dollars.

Q. What would your average three minute call from Belleville to Toronto be?

A. It would be about 50 to 70 cents, I would say.

Q. And these calls, I take it, you were paying off yourself?

A. Yes, sir.

Q. And did he think this was pretty big of you for you to be calling him day after day long distance?

A. He didn't know at first I was calling long distance, and then later he did.

Q. And then he knew then you were calling from January the 15th, right along on long distance?

A. Yes, that is right. He didn't seem -- didn't seem to care whether I phoned him or not. Then he did. But continually phoning him and bothering him, he didn't seem to - - - -

Q. What conclusion did you come to about Scott after all these calls you had to McDermott?

A. The conclusion I came to of Scott, I thought both he and McDermott were leading me down the Primrose Path, making a fool out of me,

Q. You thought Scott and McDermott were leading you down the criminal path?

A. Primrose path.

Q. Primrose path. Oh. Just tell us exactly what you base that conclusion on?

A. Because over the - - during the investigation we never did learn who Constable Scott's contacts were, and contacts I thought he did have. He never told me. He never made any comment he knew Mr.McDermott.

Q. No. Just let me understand that. After you gave Scott McDermott's number you knew he was reporting direct to McDermott, didn't you?

THE COMMISSIONER: Yes or no.

A. What was the question? Repeat the question again.

MR WILSON: Q. Were you told to ask me to repeat this question - - these questions - - by somebody?

A. No.

Q. That is your own idea?

A. I can't answer anything I don't understand, sir.

Q. You told us more than once you gave McDermott's number to Scott so he could phone that number direct instead of phoning Belleville?

A. I gave him Mr. McDermott's phone number, yes.

THE COMMISSIONER: For what purpose?

A. To see if he would make any comment to me. I had one talk to Mr. McDermott - - he was constantly asking me for a number. I thought when I gave him that number he would make a comment to me, but he had been talking to McDermott all along, but he didn't make any comment at all. I had had - - -

MR. WILSON: Q. After you gave him the number you knew he was talking to McDermott direct?

A. Yes, I did. He told me he was.

Q. Was McDermott satisfied with the service he was getting from Scott after that date?

A. I don't know if he was satisfied

with the service. In fact, he was quite put out I gave the telephone number to Mr. Scott.

Q. What did he do about it if he was put out about it?

A. Didn't do anything. He said to me he was more or less convinced that what we were trying to do, get him into trouble, to get the club charter cancelled out in Cooksville.

Q. Now, in giving this number of McDermott's to Scott, you were just going to prove, proving he was the contact, were you not?

A. No, I gave him Mr. McDermott's phone number - - -

Q. For a special purpose?

A. Yes.

Q. What was that special purpose?

A. To see if he had been talking to McDermott all along.

Q. To see if he had been calling McDermott all along?

A. I thought he would make some comment at first, the date I phoned back to him, but he didn't make any comment.

Q. In the Anti-Gambling Branch McDermott's number was known at that time, you didn't have to give him McDermott's number?

A. I could have given him any number.

Q. No. But am I not right in saying that you knew McDermott's number, and Scott

and everybody else in the Anti-Gambling Branch knew it?

A. To my knowledge.

Q. Yes. So, if Scott says he was trying for weeks to get the number to call rather than calling Belleville, and finally you gave him McDermott's number, you gave that number for a definite purpose?

A To see if he had been talking - - If he would make a comment, make a comment that he had been talking to McDermott all along during this investigation.

Q. You knew he was talking with McDermott, that Scott was talking to him prior to getting the number?

A. I don't know whether he was or not.

Q. You got no information to suggest he was, to you?

A. No, I don't.

Q. And after you gave him the number you would have confirmation from Scott and McDermott he was making this almost daily service to McDermott?

A. Yes. After I had given him the number Mr. McDermott told me, and I know then Scott was talking to him, and Scott already told me he was talking to him.

Q. That must have been pretty important

and everybody else in the small-town police force knew the

Q. Of my knowledge.

A. Well, my, if Lewis hope he was trying for-some to put the dealer to satisfaction than calling dollivilve, and finally you gave him necessarily money, you just that caused the a medicine purpose.

Q. So was it he had been calling - - if he could pay (inaudible), which I assume that he had been talking to McLaughlin all along during this investigation.

A. You know he was talking with McLaughlin, that shall not nothing to him prior to getting the murder?

A. I don't know whether he was or not.

Q. You got no information to suggest he was, is that?

A. No, I don't.

Q. And after you gave him the warrant you could have notification from Sandy Ann McLaughlin as was moving this alleged drug service to Kingston?

A. Yes. Before I had given Sandy the warrant Mr. McLaughlin told me, and I knew that Lewis was talking Malin, one Sandy already had he was talking to him.

Q. Just were have been getting information

to you in your investigation. Did you consider that pretty important information?

A. I was getting concerned, I didn't know why when I gave the number to Mr. Scott why he wouldn't make any comment to me. I thought maybe I am barking at the wrong tree, maybe he is calling Sylvestro. Maybe he isn't calling anybody at all.

Q. I don't quite follow the Primrose path, maybe you could explain that a little better as to how these two people were leading you down the Primrose path?

A After all the time I had spent and my money I had spent I had got no satisfaction at all to the effect he was corrupt, if everybody was corrupt. I thought at that time, thought that McDermott or Sylvestro in Guelph, maybe the three of them, are making a fool out of me.

Q. How would Scott be making a fool out of you by doing what you suggested he do?

A. What do you mean? I suggest he do what?

Q. By calling to McDermott direct and give him the information he had been giving to you up to that time?

A. Because he didn't acknowledge he had been talking to McDermott up to that time/

B/2 Q. You never suggested McDermott said Scott called prior to January the 15th?

to you in your investigation. Did you consider that pretty important information?

A. I was getting frantic. I didn't know why when I gave the manager to be, needed only to guilty? When you pushed to be. I thought maybe I be getting at the wrong lines, maybe is in making dynamite. Hope be that's making money in vil.

Q. I don't quite follow the jumping point, maybe you could explain that a little better or be just hoping you would work loosing you down the Stevens point?

A. After all the time I had spent and my money I had spent I had got no satisfaction at all to the effort he was exerting. If necessary was normal, I should go home. Thought that Mahoney or Dynamite in Dunlap, hope the throw of them, was making a fool out of me.

Q. How would Stock be if making a fool out of you by doing what you suggested to me?

A. What do you mean? I suggest he to work?

Q. By calling to Kenmore direct and give him the information he had been giving to you up to that time?

A. Because he didn't acknowledge he had been talking to Kellermeit up to that time?

Q. The more reason. Interest

A. No.

Q. What happened after that that changed your view of this matter?

A. I got to thinking afterwards maybe Mr. Scott or Mr. McDermott were making a fool out of me. Either that or Mr. Scott wasn't in with Mr. McDermott as I thought he had been.

THE COMMISSIONER: What conclusion did you arrive at?

A The conclusion I arrove at, sir, at that time, that possibly Scott was talking to Mr. Sylvestre instead of McDermott all along.

MR. WILSON: Q. Are you prepared to swear on your oath that you were never in McDermott's home? Remember you are under oath here?

A. Yes, sir.

Q. Well, think that over and tell us whether you were in McDermott's home?

A. Never in McDermott's home in my life.

Q. Never there?

A No, sir.

Q. And you are swearing you never met McDermott face toface prior to the trial, apart from raids on these various gambling establishments, such as the Yets' Club in Cooksville?

A. Yes, sir. I don't follow you there,

A. Yes.

Q. What happened after that that changed your view of this matter?

A. I guess thinking afterwards maybe Mr. Scott or Mr. McDermott were making a fool out of me. Either that or Mr. Lewis' in with Mr. McDermott as I thought he had been.

THE CONSTABLE: Was anything did you arrive at?

A. The conclusion I arrive at, all, at that time, that Lewis was trying to Mr. Sylvestro instead of McDermott all along.

MR. WILSON: Q. Are you prepared to swear to your knowledge that Lewis was owner in McDermott's home? Remember you are under oath now!

A. Yes, sir.

Q. Well, think over and tell us whether you were in McDermott's home?

A. Never in McDermott's home in my life.

Q. Never there?

A No, sir.

Q. And you are swearing you never was therein that house in the year, apart from talks on these various gambling establishments, such as the Vets' Club in Connellsville?

A. Yes, sir. I don't follow you there.

you are referring to the Cooksville Vets Club and my trial. I don't understand what you mean?

Q. Tell us whether you have met McDermott face to face?

A. I have met him, I have met him at my trials.

Q. Mm,hm.

A. I have met him downtown, this is after my arrest, and after - - - -

Q. Well, prior to your arrest where did you met him face to face?

A. Prior to my arrest?

Q Yes?

A. I never met him face to face.

THE COMMISSIONER: You are swearing to that?

A. Yes, sir. Yes, sir, absolutely.

MR. WILSON: Q. And when you - - - I think you already told us you would see him at, say, the Veterans Club when you raided it. Would that be face to face?

A. Oh, I saw him at the Vets' Club - - -

Q. You call that face to face?

A. Yes, that is correct.

Q. So, your statement to the fact you had never seen him face to face prior to your arrest, isn't correct?

A. Well, sir, you are getting me a little confused here, now.

you are referring to the Conservative Club.

and my house. I don't remember that you ever

Q. Tell us whether you have ever

[illegible] from Mr Fear?

A. I have not met, I don't get on

at my trade.

Q. Hm,hm.

A. I have seen him occasion, you

in order my errand, and other - - - -

Q. Will you tell the jury [illegible]

did you ever see him face to face?

A. Enter to my errand?

Q. Yes?

A. I never met him face to face.

THE CONSTABLE: Did you [illegible]

[illegible]?

A. Yes, sir. Yes, sir, absolutely.

Mr. Hibbert: Q. And when you - - -

I think you already told us you would see him

at, say, the Jamaica Club when you [illegible] it.

[illegible] that he face to face?

A. Oh, I saw him at the Jamaica Club - - -

Q. You will stand face to face?

A. Yes, that is correct.

Q. So, your statement to the jury

you did never see him face to face prior to your

[illegible] [illegible]?

A. Well, sir, you see getting on a

[illegible] [illegible], [illegible]

Q. Now, you are not that stupid?

A. No, sir, I am not stupid, but you are not going teput words in my mouth.

Q. On March the 22nd, in the Scott reports - - - I am sorry, on March the 26th, at page 13 of the Scott reports. Now, did Constable Wright (sic) phone you on that date - - Constable Scott, or did you phone him?

A. On March the 26th, I called Scott, yes,sir.

Q. Yes, and did you ask him on that occasion about what had been done with the dice that had been found on Ernest Midgely at the time of the raid on the Yets' Club in Cooksville the previous evening?

A. He told me that Ernest Midgely got excited when they were about to enter the club in Cooksville, he said - - - -

Q. Just answer the question. Did you ask that question, or didn't you?

A. No, sir, I did not.

Q. And would you say that the question of the dice being found on Ernest Midgely was discussed on that occasion?

A. Yes, he told me about Mr. Midgely and the dice.

Q. What did he tell you?

A. He said Ernest Midgely got excited when they were about to enter the club at

Q. Now, you are not being sarcastic?

A. No, sir, I'm just trying, but you are not going, turns being in my mouth.

Q. On March the 20th, in the Lower Mainland - - - I am sorry, on March the 20th, as you if in the Port Moody area. Now, the Executive Assist (sic) phone you on that date - - Substantially, is AAA you phone that?

A. On March the 20th, I could have, yes, sir.

Q. Yes, and did you see him on that evening after had been done when the alive that had been found on Burnaby Mountain at the site of the raid on the Yoyo' Club in Coquitlam the previous evening?

A. He told me that Bennett Mahoney got excited when they were about to enter the club in Coquitlam, he said - - - -

Q. Just answer the question, did you see Mr. Mahoney, do clearly that?

A. No, sir, I did not.

Q. And would you say that the connection of the crime being found on Burnaby Mountain was discovered on that occasion?

A. Yes, he told me about Mr. Mahoney and the crime.

Q. When did he tell you?

A. He had [illegible] and excited when they were about to enter the club on

Cookaville. He saw Ernie Midgely try to give some dice to another man in the cubicle.

Q You are reading fromyour diary?

A. Yes.

"P.C.Moore and me saw him try to

"give the dice to another man."

They seized the dice. I asked him if Midgely had done this outside the premises, and Scott said yes, but that he didn't have a coat on, didn't have a coat on, and that the coat was in the club.

Q. Why were you interested in all that information?

A I wasn't really interested in it, it was discussed - - -

Q. You had phoned him up. You were just through listening to this long explanation?

A. That is correct, sir. But, I believe I asked him if there was going to be any charges laid, because I thought they should have been charged right then.

Q. From Belleville you were concerned about whether they would lay charges as a result of that raid?

A. Yes, I couldn't understand why they wouldn't lay charges when they got the dice, and there was an act of concealment.

Q. Then, you asked him also on that occasion about some other matters, didn't you?

[illegible] [illegible] [illegible] [

Did you say that you had heard that Sergeant Anderson had returned from a raid on the Ramsay Club on the early morning of the same day with only one other officer?

A. No, sir, I did not.

Q. You deny saying that?

A. Yes, sir.

Q. And on that same conversation did you inquire of Scott as to 2 Sweepstake tickets seized from doctor during the raid on the Vets' Club the previous evening, and whether they would result in charges being preferred, the fact of the seizure would result in charges being preferred?

A. I believe he told me about a sweepstake - - -

Q. I asked you whetheryou asked him that question. Did you or didn't you?

A. I asked him if he was going to charge the man with the sweepstake tickets, yes.

Q. Why did you ask him that?

A. Because I thought the man should have been charged.

Q. You were concerned from your position at Belleville about what should be done as a result of this raid?

A. Yes, sir, I was.

Q. How did you know about the sweepstake tickets?

A. Scott told me.

Q When, on this particular conversation he told you?

A. I didn't make any note of it here, but it could have been that conversation or it could be a later one.

Q. Now, you had, you had a 17 minute call from Port Credit, Crescent8-5289, just a few hours before this conversation you had with Wright (sic). What were you talking with McDermott for 17 minutes about at 4:17 p.m. that day?

A. I don't recall exactly that day.

Q. Was that one of the typical conversations?

A. Yes, sir. That might have been a time when he had called and asked me about - - if I knew about any officers - - I forget what area it was, - - the Provincial Police, where a friend of his got stopped and got a speeding ticket.

Q. You haven't any other information as to why you would have a 17 minute conversation that same day a few hours fearlier?

A. No, sir, as I say, it could have been in regards to - - -

Q Then, this conversation we hase been talking about, between Scott and yourself, at 7:06 p.m., that was 8 minutes and 10 seconds,

was that by reason of these matters about the Yets' raid you were concerned about whether there would be charges laid?

A. Yes. In fact I went further this particular night and asked him if he could put the dice in against the club on a further hearing.

Q. You have told us that. Now, it was the matters of the raid that were discussed that involved the 8 minute conversation you had with Scott; is that right?

A. Yes.

Q. Yes. And that was at 7:06 p.m. And at 7:23 p.m. you called Port Credit, Crescent 8-3783, and had a 5 minute and 25 second conversation with McDermott?

A. Yes, I could have done that, sir.

Q. And were you discussing the information you had just got from Scott?

A. No, I would have discussed, found out what Mr. McDermott had told me about the raid and see what Mr. McDermott would tell me, see if it was alongthe same lines as Scott told me.

Q. You wanted to see if it was the same story?

A. Yes.

Q. You had already talked to Mr. McDermott for 17 minutes at 4:17 p.m., you must have convered the ground pretty well on that

first conversation with McDermott?

A. Well, I don't recall what was said in both conversations exactly, on the 17 minute conversation. As I said, it could have been one of the times he wanted to know about getting a traffic ticket withdrawn.

Q. Why wouldn't you make a note in your diary about what McDermott said?

A. Oh, sir - - - -

Q. It might have helped your memory a bit?

A. Well, sir, I wasn't interested in McDermott, I was interested in getting information from Scott who was tipping off the gamblers. Besides,he told me so many crazy stories I wouldn't make a note of it, it was foolish.

B/3

Q. Wouldn't that go to tie up the activities of Scott and McDermott in order to prove Scott was corrupt?

A. Sir, I was taught at the Ontario Police College by a very learned police inspector that gossip and hearsay weren't evidence. And I was just making evidence concerning Scott, direct evidence, not a bunch of stories I heard from McDermott.

Q. Are you suggesting your diary doesn't contain some stories and hearsay and rumour?

A. Everything that is in my diary is what Scott has told me, sir .

Q. On March 29th, in the Scott report, at page 13. Did you meet Scott on that date at the Pilot Tavern, and then proceed to Morrissey's Tavern?

A. Yes, sir, we did.

Q. And did you tell Scott on that occasion that the thieves and David Humphrey, their solicitor, were developing a gold mine in the area north of Port Arthur, and they had invested a hundred thousand dollars in the mine?

A. Yes, there was a discussion. I didn't say about the hundred thousand, I think that is conjecture on his part how much money. I didn't tell him how much money, I wouldn't know how much money.

Q. And I suggest to you on that same date you told Scott that you had been in McDermott's house?

A. Yes, I could have told him that.

Q. And if you did tell him that was it true or false?

A. It was false. I wanted him to get the impression I was, I was in with McDermott.

Q. Now, in your diary notations for the same date there appears --- you talked about the St. Catharines deal, and it reads as follows, in part:

"He asked me what I thought or had

Q. [illegible] Sir, do you know [illegible] of page 12? [illegible] Did you ever hear of [illegible] as the Valdez Accord, and then presented to [illegible]'s Government?

A. Yes, sir, we did.

Q. Did you ever hear of [illegible] conclusion that the Valdez Accord [illegible] Exploration, [illegible] in the area north of Puerto Angkuar, and they had discovered a [illegible] deposit in [illegible]?

A. Yes, [illegible] had a [illegible]. I didn't say about the [illegible], I [illegible] to cooperate on this point but [illegible]. I didn't will him [illegible] money, I wouldn't have [illegible] money.

Q. And I suppose to you as [illegible] when you told [illegible] that you had [illegible] in [illegible]'s [illegible]?

A. [illegible] I would [illegible] [illegible].

Q. Did it you did [illegible] [illegible] or [illegible]?

A. I'd [illegible]. I mentioned [illegible] [illegible] I was, I was in [illegible].

Q. Now, in your [illegible] conclusion [illegible] [illegible] -- you talking about the [illegible], and in [illegible] [illegible] [illegible]:

"He asked me what I thought of [illegible]

"heard about St.Catharines. I said "nothing much, but that we were unwise "to bother with it. I told him that "we would probably only make $25.00 "a week, and it isn't worth all the "worry and trouble. He agreed."

Now, that is from your own diary. I take it that is what you told him?

A. Yes, that is correct, sir.

Q. And how did you fix on the figure of $25.00 a week?

A. It was just a suggested amount between Scott and I, that I suggested to him. There was no reason to pick $25.00 a week.

Q. Well, why not 50 or 100 a week?

A. I could have said that just as well, I guess.

Q. In other words, you say this $25.00 a week, is just a fiction?

A. Oh, yes, sir.

Q. You hadn't made any settlement of that figure with any contacts that you had at that time?

A. No, sir.

Q. Now, on April the 8th, the Scott diary, at page 15 - - - -

THE COMMISSIONER: April the 8th?

MR. WILSON: April the 8th, on page 15.

Q. Did you receive a call from Scott

about 7:25 p.m. on that date?

A. Yes, I did, sir.

Q. Did he tell you about a raid that had been made at the Ramsay Club the previous day, or the last day or two?

A. Yes, he told me that the club in Niagara Falls had been raided. As to the night, I didn't make a note as to when it was supposed to have been.

Q. Now, that raid was made at a time when Scott was out of town and couldn't give the tip-off, wasn't it?

A. I don't know if it was or not, sir.

Q. Well, you hadn't, you hadn't had any tip-off from Scott about that raid, had you?

A. No, sir, he told me the club in Niagara Falls had been raided the other night. That is all we know of it.

Q. You knew about it when he told you, didn't you?

A. I knew of - - -

Q. You knew there had been a raid before he told you that?

A. I could have, but I - - I don't know sir, whether I did or not. I have got here he told me. I can't recall if I knew at the time.

Q. Hadn't McDermott told you about that raid?

A. Yes, he could have, sir.

Q Mm,hm.

A. He could have told me after I had been talking to Scott.

Q. Or he might have told you before Scott called you?

A. Yes, he could have. Yes.

Q. Now, on April the 10th, in the Scott report, at page 15. Did you call Scott at about 11:45 on this Sunday morning?

A. That is April - - -

Q. April the 10th?

A. Yes, I called him at his home, yes, sir.

Q. On that occasion did you inquire as to the source of the information leading to the raid on Chuck Davidson's back-end at Port Credit?

A. Yes, I did, sir.

Q. Why?

A. There was no particular reason why, I had heard from - - - Probably heard this from McDermott and I was just asking Scott to see if Mr. McDermott was just kidding me, to know whether it had taken place or not.

Q. You were just checking on McDermott?

A. Yes sir,

Q. And did you find that the information that McDermott had given you was right,

Q. Then he could hear, sir.

A. Yes.

Q. Do people hear only on street ? Can

they listen in home.

Q. Or do people have that you become

deaf when you

A. Yes, he could hear. Yes.

Q. Now, on April the 10th, in the

early morning, at about 5. Did you call Dr.

to your life on this occasion morning?

A. There is April - - -

Q. April the 10th?

A. Yes, I called him at his house,

yes, sir.

Q. In that conversation did you inquire

as to the nature of the information leading to

the raid on Chief Detective's house on at Park

Station?

A. Yes, I did, sir.

Q. Why?

A. There was no particular reason

why. I had heard from - - - Previously about this

raid. Knowing that I was just moving longer in

and if Mr. Blackwood was just holding on, so

that another if had come given to me.

Q. You did you personally on Blackwood?

A. Yes sir.

Q. And did you first talk the

information that Blackwood had given you was false?

there had been a raid on the back-end of Chuck Davidson?

A. Yes, Scott said there was one, yes. I did find out that was the fact, that raid did take place. Scott told me the sheet was $300.

Q. And you were concerned in finding out how they got to the back-end, weren't you?

A. No, I wasn't concerned, I just probably asked him.

Q. Well, you did ask as to how they, how they learned about the back-end?

A. Yes. Yes.

Q. And was that also because McDermott was curious to know how they had raided the back-end?

A. No, sir.

Q. Had you discussed the question with McDermott when he told you about this raid on Chuck Davidson's back-end as to how the Provincials knew?

A. He told me that they had raided the back-end, Chuck Davidson's back-end, yes, sir.

Q. So, from then on it was just your curiosity on asking these questions of Scott?

A. Yes, sir, I wanted to see if it was a fact the back-end had been raided.

(Page 5350 follows)

C/1/WR

Q. Now, what part did that play in your investigation of Scott?

A. It didn't play any particular part; it was one of those many conversations we had.

Q. I see. Now, on April 12th, 1960, you had a meeting with Scott at the Wallace Hotel and that meeting lasted, I would think, about four hours, from ten p.m. to about 2:15 a.m.

A. Well, I met him that night, yes sir.

Q. Did it last about four hours or didn't it?

A. I don't know, sir. It could have, but I don't want to swear to it.

Q. Now, on that occasion did you have a talk with him about the Curly Gardner release from jail?

A. I didn't make a note of it but we could have.

Q. You could have?

A. Yes, sir. I know we did have a discussion along that line at some time.

Q. And what were the statements you made in regard to that release on that occasion?

A. Oh, I think I probably told him that I was quite surprised that Mr. Gardner had got out of jail. After all, he was only

Q. Now, what part did that play in your investigation of Irvin?

A. It didn't play any particular part; it was one of those many conversations we had.

Q. I take, Mr. McNeil (sic, Lane), you had a meeting with Scott at the Wellmeadows and just sitting having, I would think, about four hours, from ten p.m. to about 2:15 a.m.

A. Well, I met him that night, yes, sir.

Q. Did it last about four hours or didn't it?

A. I don't know, sir. It could have, but I don't recollect to be so.

Q. Now, on that occasion did you have a talk with him about the Curly Gardner release from jail?

A. I didn't make a note of it but we could have.

Q. You could have?

A. Yes, sir. I know we did have a discussion along that line as some time.

Q. And what were the arrangements you made in regard to that release on that occasion?

A. Oh, I think I probably told him that I was quite surprised that Mr. Gardner had got out of jail. After all, he was only

in jail for three months for a one-year sentence.

Q. I see.

A. I recall Anderson and Shrubb told me it was crooked politics.

Q. You say Anderson told you?

A. Yes, sir. They were surprised also.

Q. Did you tell Scott on this occasion that Gardner was sprung from jail by the "thieves" through politicians?

A. No, I did not say that because I didn't know how he got out of jail.

Q. Did you say anything about politicians?

A. I doubt it; I can't swear whether I did or did not. I don't recall.

Q. Did you have any information about any of the facts of the release?

A. No, sir, other than what Sergeant Anderson and Corporal Shrubb told me.

Q. Tell me exactly what they told you about this release.

A. Mr. Gardner had been sentenced to a year's imprisonment and he was released after, I believe, about, I think it was three months; or three or four months; but it was a very short time that he wasin jail. I remember Corporal Shrubb telling me it's just another -- just crooked moves by the politicians.

Q. Were there just Shrubb and yourself

to jail for three months for a conspiracy conviction.

Q. I see.

A. I recall Assemblyman Gus Gaudio

held on (illegible) conviction.

Q. The only Assembly land grant

A. Yes, sir. They were auctioned

also.

Q. And you said there was

possibly some Assemblyman involved in

the "Caucus" through politicians?

A. No, I did not say that because I

didn't know that he got out of jail.

Q. Did you ever discuss

politics?

A. I doubt say I can't recall what

I did or did not. I don't recall.

Q. Did you have any conversation about

any of the facts of the criminal

A. No, sir, other than what Sergeant

Lawrence and Corporal Jones told me.

Q. Tell us exactly what they told

you about Gus Gaudio.

A. Mr. Gaudio had been sentenced

to a year's imprisonment and he was released

after, I believe, about, I think it was three

months or three or four months but it was a

very, very, very short in about jail. I remember

Corporal Jones telling me it's just another --

just because some by the politicians.

Q. And that, did Gaudio not receive

present when that conversation occurred?

A. I believe so.

Q. When did it take place?

A. It could have taken place during the trip out of town.

Q. I am not asking you when it took place, I am asking you where it did take place.

A. I don't recall where it took place.

Q. Do you know when it took place?

A. I don't know when. I could give you an approximate time, it would be back -- I am only guessing -- it is quite some time ago that I had heard this.

Q. Well, give us your best recollection?

A. We were driving along in the car, I believe, and somehow the name just came up. He said -- First of all, I believe Anderson told me the first time that Mr. Gardner had been released from jail.

Q. What did Anderson tell you?

A. He said that he had been released from jail and I was quite surprised and he was quite surprised, and a bit after that I talked with Mr. Shrubb.

Q. Was that all Anderson told you about the release?

A. Yes, sir.

Q. That he was surprised?

A. Yes, sir.

Q. What did Shrubb tell you about the release?

A. He told me Gardner was out of jail. I could have said to him --

Q. Never mind what you said to him, tell us what Shrubb said to you?

A. He told me he was out of jail and it was another move from crooked politicians.

Q. Did he say he had any facts?

A. He told me he had concrete proof.

Q. That he had concrete proof?

A. And he showed me some photostats of telephone conversations.

Q. With whom?

A. Not conversations but toll tickets.

Q. Yes? What else did he show you?

A. That's all he showed me at the time.

Q. He showed you photostats of some telephone conversations.

A. Telephone tickets.

Q. And did they have any thing to do with the time of the release of this man, Curly Gardner?

A. No, this would be just before he took up his new duties in Peterborough.

Q. These toll tickets, did you look at them?

A. I believe I glanced at them, yes sir.

A. Yes, sir.

Q. Now, did Officer Hall just arrive

the incident?

A. He told me officer was one of

jail. I could have said to him --

Q. Never mind what you said to him,

tell us what Officer said to you?

A. He said he be was out of jail

and it was another drug free occupied philosophy.

Q. Did he say he had any funny

A. He told me he had economic power.

Q. What he had economic power?

Q. Did he commit an act of violence

or violence committed?

Q. Objection.

A. Not conversations was hell violence.

Q. Yes? What else did he show your

A. That's all he showed me at the

time.

Q. He showed you photographs of some

violence committed?

Q. Objection Violence.

Q. But did they have any video, to

do with the time of the release of this man,

Jerry Sherrod?

A. No, this would be just before he

took up his own action in Rockingham.

Q. Thank you Mr. Hardy, Mr. Yes

then no more?

A. I believe I placed a call, yes sir.

Q. What did you see when you glanced at them?

A. Shrubb told me about the phone calls. I do recall there was a phone call, I believe, to Mr. Bowman, I believe. There was a phone call to a Mr. Smythe. I don't recall exactly, I would only be guessing, but I do recall those two.

Q. You cannot tell us what year this conversation occurred?

A. When he showed me these tickets?

Q. Yes.

A. Yes, it would be about 19 -- I believe about 1958 -- near the end of 1958.

Q. Some time in 1958?

A. Yes.

Q. And was it at that time he talked about the crooked politicians?

A. Oh, yes. He told me that he was glad to get out of the O.P.P. He said, "I am going to a place where there's a police commission and no pussyfooting and politics"; and he told me he had concrete proof.

Q. And the concrete proof being what?

A. I don't know what the concrete proof was.

Q. Speaking of toll tickets, you had to do with searching telephone calls in the Toronto area during the time you were on the anti-gambling squad, didn't you?

Q. When did you see Mrs. Pan-Glenny at Hunt?

A. Usually said as much the phone calls. I do recall there was a phone call, I believe, at Mr. Hunter's library. Every one a phone call in-to-the-morning. I don't remember, I would only be guessing, but I do recall there was.

Q. You seemed to get that using conversation phone?

A. Been in charge to these functions?

Q. Yes.

A. Yes, it would be about 19 -- I believe about 1964 -- never the end of 1963.

Q. Who was Mr. Hunt?

A. Hunt.

Q. And who is or what time he talked about his personal participation?

A. Oh, yes. He told me that he was going to get one of his O.E.O. [illegible] on going to a place where there's a political connection and no participation and politics; and he told me to be had conference proof.

Q. And the conference proof being where?

A. I don't know what the conference proof was.

M. Speaking of bail bonds, you had to do with something relationship with the bonds-[illegible] and anti-[illegible] proof, right?

A. Yes, I did.

Q. And during what period of time?

A. I would say from about 19 -- I am just guessing, but 1955 up to the time I had left the squad.

Q. Just explain what the purpose of these searches was?

A. To determine if there was any bookmaking action between convicted gamblers, or suspected gamblers, that would lead us to their back end, by telephone.

Q. You knew McDermott was a suspected gambler and a bookmaker, didn't you?

A. Yes, sir.

Q. But at no time did you turn in any report on his telephone calls during the period from 1955 through to the time you left the branch at the end of 1959?

A. I made verbal reports.

Q. You never made any written report on McDermott?

A. I never did on any other gamblers unless we raided them.

Q. Tell me to whom you made a report of the McDermott telephone calls at any time from 1955 through to the end of 1959?

A. To Sergeant Anderson.

Q. What was the nature of your report of McDermott's calls?

A. Well, I had checked his telephone

and on a warrant to search - and I believe there were calls - I am guessing exactly what the calls were, but there were calls down to Florida, I believe, and calls to some place down in the West Indies. I don't recall.

Q. When did you ever make any verbal report on McDermott's telephone calls to Anderson?

A. It would be a short period of time, after I had executed the warrant to search.

Q. What year was that?

A. It could have been 1959, sir. I would say it would be back there.

Q. What was the warrant to search? What did that have to do with it?

A. Well, sir, when we execute -- when we obtain these tickets from the Bell Telephone Company, it was the policy of our force to have a warrant to search the records of the Bell Telephone Company.

Q. Yes?

A. And the warrant was -- would be drawn up, and we would go and get it signed by a J.P. and proceed to the Bell Telephone Company with this warrant tosearch.

Q. Was this a search? You say you had a warrant in regard to McDermott's calls.

A. I don't know whether --

Q. It is McDermott we are talkingabout.

A. Yes, but sometimes we are in these Bell Telephone offices and the girls would volunteer us information that wasn't on the warrant.

Q. I am trying to find out from you when you ever made any search of McDermott's telephone calls and made any report about it to Anderson or anybody else?

A. In --

Q. In any year?

A. In 1959 I know I did, then, because I can recall taking it and showing it to Mr. Anderson; and when I left the squad I had this information in a filing cabinet.

Q. You knew in 1959 Shrubb had made some investigations of telephone calls, didn't you, because he told you that?

A. Yes, but I don't think he did in 1959.

Q. You knew he made searches in 1958, didn't you?

A. Yes.

Q. But you had not made any similar searches and turned up any reports on McDermott before you made the search and got the information?

A. No.

Q. And you were the man who was supposed to do that job in the Toronto area, weren't you?

A. 1958?

Q. Right from 1955 through to 1959?

A. Sir, we did not -- I want to get this straight -- we did not split the Province up in areas. Shrubb had left the squad. He used to do it all pretty well himself. He left in 1958, so it would be 1959.

Q. You told us you did it from 1955 through to 1959. Do you want to change that story?

A. No. I did, sir. When you say I didn't check in the Toronto area, I wasn't responsible for the Toronto area until 1959.

Q. Did you ask to be assigned to the Toronto area?

A. No.

Q. Did you or did you not ask to be assigned to the Toronto area?

A. I wouldn't want to swear that I didn't ask or did ask. We all sat down together and decided, and I was the senior officer and I would have to be in the office more often, and I wouldn't have to take so many trips over to Niagara Falls or Windsor, or wherever it was.

Q. From the time that you checked on the telephone calls in the Toronto area, did you ever make any check of McDermott's calls?

A. Yes, sir.

Q. You did? In 1959?

A. I would say yes, sir.

Q. You would say yes. What was the result? Who did you report to?

A. Sergeant Anderson.

Q. What did you find that you reported to Sergeant Anderson in 1959 about McDermott's calls?

A. I never found anything in particular that I used to -- We used to all report to Sergeant Anderson when we had searched the telephone record.

Q. Yes?

A. All verbally, too.

Q. You say you did make some verbal report about McDermott's calls in 1959 to Anderson?

A. I recall sitting right down with him.

Q. Did you find anything unusual about McDermott's calls in 1959? Were they numerous?

A. I don't think there were too many calls that we used to see on bookmakers' phones, no sir.

Q. Did you check more than one telephone being used by McDermott at that time?

A. I checked McDermott's home at this particular time. We used to check at clubs that we suspected that they were connected with.

Q. Well, I take it if you had reported this to Sergeant Anderson, he may have a clearer recollection than you?

A. Yes, sir, because I believe too, sir, he forwarded it. We were trying to find out -- some of the calls, numbers that had more than -- We were trying to find out who they were listed to in the United States, and I believe he made representation to the New York Police.

Q. Would you make a diary note in 1959 that you checked the McDermott telephone calls?

A. Not me, myself; it would be at the office. If I went to Bloor Street West, if I was checking numbers in that area, I wouldn't just say McDermott's number.

Q. We looked at your diary for 1959; would you find any reference there to checking McDermott's telephone numbers?

A. You could or could not dependent if I had half a dozen numbers and I would just put on my diary I executed a warrant to search the Bell Telephone.

Q. That is what the entry would be, is it?

A. Then you would have to check that date and the warrants; the search warrants would be kept on file at our office.

Q. Coming back to April 12th, the

reports of Constable Scott, page 16, item 8. Now, there he says:

"The brief on the Ramsay Club was "composed by D.Humphrey, P.C. Wright "and others. Thereafter that was "forwarded to Arthur Maloney, Federal "M.P., who gave it to James Maloney, "the present Ontario Minister of "Mines, and he in turn gave it to "the District Inspector Stringer. "Inspector Stringer then turned the "brief over to Sergeant Anderson."

Now, did you in fact make those statements to Scott on that occasion?

A. No, sir, I did not.

Q. Did you make any statements to him on that occasion about the Ramsay brief?

A. We would be discussing the brief on the Ramsay Club, I would think, yes.

Q. What did you tell him about it?

A. I didn't tell him anything about it. We just discussed it existed because we all had seen it when the Branch had received it.

Q. What knowledge did you have as of April 12th, 1960, about this Ramsay Club brief?

A. The first time I ever saw that brief was in 1958 and it was given to me by Sergeant Anderson, and he had received it from

Inspector Stringer.

Q. I see.

A. He told me he had received it from Inspector Stringer and we went over each of the points in the brief because it was a very, very detailed plan on how to put a gaming club out of business, any gaming club on a raid. Subsequently Scott and I were on the investigation, I believe, along with Anderson and the Club, the Ramsay Club -- was raided and charges were laid and we followed the procedure as best we could detailed in this brief.

Q. Yes. Did you have any knowledge of who was the author of the brief?

A. I had no knowledge. There was gossip about ---

Q. Well, never mind gossip, did you discuss the brief, the Ramsay brief, with McDermott?

A. No sir, never. When I was first brought up at the trial, they just either acknowledged it existed and that was all. There was no comment on the ingredients of it.

Q. Did he ever say anything about who had drawn it up?

A. Never, sir.

Q. Now, the other day when you touched on this subject, you said you had discussed the brief with Shrubb. Was that before

or after the raid on August 13th, 1953?

A. I don't want to swear whether it was before or after, because I believe he went on his holidays -- I could be just guessing -- but I did discuss it with him either before or after. I can't recall just when.

Q. Before you said you thought it was before he went on his holidays.

A. I think it was before his holidays but then again I am still just guessing.

Q. What did he say about making use of the brief as far as making a raid was concerned?

A. He said that -- He got all of these instructions previously from the three thieves. That is what he told me.

Q. Which one of the three thieves did he get these instructions from, did he tell you?

A. He didn't say which one. Any time we referred to any of the three thieves, it was always the three thieves, no one individual.

Q. Not the thief you were talking to from day to day, McDermott?

A. He said the three thieves.

Q. You didn't even bother to ask him which one?

A. No, sir.

Q. You did not?

A. No.

Q. And did you discuss that particular matter with McDermott, what Shrubb had told you?

A. No, sir.

Q. You did not consider that important?

A. No, sir. That was just one of those things that was general gossip. That wasn't important to us. We were pleased to get the brief, but as far as making any history, the point of the brief, we were not interested in that at all when we received it.

Q. It would be a very interesting brief from McDermott's and Feeley's point of view, wouldn't it?

A. Yes, we thought at the time.

Q. Yes.

A. Yes, sir.

Q. On this meeting of April 12th, items 1 to 3 on page 15, Scott says that you told him:

"(1) Corporal Shrubb's position on "the Peterborough Police Department "was bought by the thieves to remove "him from the anti-gambling branch.

"(2) Item (1) was accomplished by "bribing the selection committee "composed of Chief Constables Knight "of London, McGill of Toronto "Township and Patrick of Kitchener.

"Then Constable Knight was 'had'
"through Pete Sansone of London.
"Chief Knight received $5,000 for
"his services. Patty Conklin was
"also involved in fixing the
"selection committee."

Now, did you make those statements that I have just read to Scott on that occasion?

A. No, sir, I did not.

Q. Did you make any part of the statements -- any one of the facts that are stated there?

A. No sir, I did not. There was discussion of different police departments but never any such foolishness as that, never.

Q. Did you discuss Corporal Shrubb's appointment to Peterborough on that occasion?

A. No, sir, other than the fact he was in Peterborough. I probably said that I seen Corporal Shrubb.

Q. Why do you suggest that Scott would report this in his report if you did not say it?

A. He made it up just like he made a lot of this up.

Q. You say this is something he made up, entirely?

A. He must have, I certainly didn't say it.

Q. Item 3 on April 12th:

"$2,000 was paid to Corporal Shrubb's "wife to induce Mrs. Shrubb to "encourage her husband to accept "the job opportunities at the "Stamford Police Department and the "Peterborough Police Department."

Now, did you make that statement to Scott on this occasion?

A. No, sir, I did not.

Q. Or on any other occasion?

A. No, sir.

Q. What knowledge have you of any such payment?

A. I have no knowledge of any such payment, sir.

Q. Coming back to items 1 and 2, what knowledge did you have of any such suggestion?

A. I have no knowledge, sir, of any of this. In fact, I know Chief Knight and Chief Patrick and Chief MaGill and they are very fine gentlemen, and why anybody would make a remark about them, I don't know.

Q. So you deny items 1, 2 and 3 in his report?

A. Yes, sir, I certainly do.

Q. Now, on page 16 in that report, item 10 reads:

"P.C. Wright had a partner on the "Force but not on the branch.

"The partner was cut out, but
"P.C. Wright didn't receive his
"partner's share as he anticipated."

A. No, sir. I don't know where he got that from.

Q. Do you deny you made any such statement to him at any time?

A. That's correct, sir.

Q. Did you ever have a partner on the Force who subsequently got cut out of his share of the take?

A. Never, sir.

Q. Did you have any suspicions of any other person on the Force who had been getting a cut and then was cut out? Did you have any suspicions about any person on the Force who was getting a take and then was cut out?

A. Never, sir.

Q. Never?

A. No.

Q. Well, in that same report, item 27 on page 17, it reads:

"Humphrey was in to see Assistant
"Commissioner Kennedy regarding
"the threats of Gardner to expose
"the thieves. Gardner had been
"writing threatening letters to
"the thieves."

Did you make that statement to Scott on that

occasion?

A. I don't know whether it was on that occasion, but I recall having discussed it with Scott.

Q. Where did you get that information from?

A. I can recall Mr. McDermott telling me that this man by the name Gardner was trying to blackball him and blackmail him, and that Mr. McDermott sent in a lawyer, Mr. Humphrey, to see the Commissioner about laying charges against this man, and apparently the Commissioner, or the Assistant Commissioner, whoever it was, didn't want to have any part of it at all and McDermott was quite upset about it. He couldn't understand why the police department wouldn't at least attempt to do anything at the suggestion of a lawyer.

Q. Did he tell you that before or after you left Toronto for Belleville? Did McDermott tell you that before or after you left Toronto for Belleville?

A. He would have told me that while I was in this investigation.

Q. I know, but you started your investigation before you left Belleville?

A. Yes, I started it right around the first of the year.

Q. That is right; so, can you tell

[illegible]

Q. I don't mean whether it was in the [illegible] I would having [illegible] it was back.

Q. Have did you get that information [illegible]

A. I was usually, [illegible] getting a call also as the same doctor was trying to blackmail him and blackmail him, and when Mr. Robinson came to a lawyer, Mr. Dempsey, he was the Commissioner about trying clarify against this man, and successfully the commissioner, or the Ontario Commissioner, [illegible] it, didn't want to have the [illegible] of it on all and Robinson was quite glad that it. He realized [illegible] the police department wouldn't go large enough to do anything at the suggestion of a lawyer.

Q. Did he tell you that before or after you left Toronto for Bellaville? And [illegible] did you [illegible] or after you left Toronto for Bellaville?

A. He would have told me that while I was in this investigation.

Q. I know, but you [illegible] your [illegible] when you left Bellaville?

A. Yes, I arranged it right around the [illegible] of the [illegible].

Q. Then in [illegible] 20, can you tell

us whether McDermott told you that before you left for Belleville or not?

A. I do not know, sir. I cannot tell you. I cannot recall.

Q. When you talk about blackmail, what did McDermott tell you about Curly Gardner's blackmailing?

A. He didn't elaborate on that, and I didn't ask him.

Q. You were not interested?

A. No, sir.

Q. You did not ask him?

A. No, sir.

Q. In that same report, item No.29, on page 17, it reads as follows:

"Information replacing the old "concept of wire service is "broadcast by shortwave."

" There are still two old "wire services in Torontooperating."

Now, did you make such a statement to Scott on this occasion?

A. No, sir.

Q. Do you have any knowledge of the new type of wire service by shortwave?

A. No, sir.

Q. Or the service by shortwave?

A. The wire service -- the only service that I ever heard of was the service supplied by some outfit in Delaware, I believe

in Wilmington, Delaware; and the Sergeant of the New York Police had informed our branch of this system operating in Toronto, Canada - that is how it was put - and they believed it was operating at all major race tracks in Canada; and it would assist them whereby there was a man inside the track relaying the winners to a man outside the track who in turn would phone to Wilmington and who, in turn, would sell the service to bookmakers.

THE COMMISSIONER: Q. Who told you that?

A. Sergeant Anderson; Sergeant Anderson and Sergeant Lombard. There was a discussion on the squad. We had a brief given to us that described this whole thing which came out at some committee hearings in the United States.

MR. WILSON: Q. You never heard of any local bookmakers having any shortwave equipment that would pick that sort of thing up?

A. No, sir.

Q. You never discussed that with McDermott?

A. I believe I told McDermott that I had heard of this service from Wilmington, Delaware, and he didn't acknowledge whether he knew about it or not.

THE COMMISSIONER: Q. Why would you be telling McDermott that?

A. To see if he would have any

knowledge of it himself.

Q. That would not have any connection with your investigation of Scott?

A. No, it would be just a conversation, one, during one of our conversations that I would ask him that.

Q. I want to know why you asked him?

A. To see if McDermott was familiar with it, with such an operation. He was supposed to be the kingpin in gambling in Ontario and for a man that is supposed to be the kingpin I don't think he knew as much as what he should have known.

Q. He did not know as much as you did?

A. I wouldn't say that. My knowledge of gambling is limited, that is for sure.

MR. WILSON: Q. Did he tell you he had two powerful shortwave radios at his home?

A. No, sir.

Q. On April 19th in the Scott report, at page 18 -- First, did you call Scott on that occasion at about 7:45 p.m.?

THE COMMISSIONER: April 19 ?

MR. WILSON: April 19, on page 18.

THE WITNESS: On April 19, no. April the 19th he called me.

MR. WILSON: Q. Did you call him?

A. 4:30 p.m. - That must be wrong. On April 19th I contacted him at his residence. I don't understand this, where there's two April 19's on this.

C/4

Q. This is your diary, of course.

A. No, this isn't my diary, it is a copy of it. It could be a mistake.

Q. You are suggesting there might be an error?

A. It might be wrong.

Q. Well, we will have to check that. Now, on April 19th did you tell Scott that you had heard that the Vets Club would retain their charter on condition they get rid of one vicious dog and remove a bolt from some door in the club, this information coming from Queen's Park? Now, did you make a statement along those lines?

A. No sir, I didn't.

Q. Did you have any knowledge of the pending hearing in respect to the cancellation of the Vets Club charter at that time?

A. None other than what Scott had told me or what Mr. McDermott had told me.

Q. And did anybody tell you anything along the lines of this statement that Scott says you made to him about it?

A. No, sir.

Q. What was your knowledge as of

April 19th of the state of the hearing in respect to the cancellation of the club charter?

A. My knowledge would be just -- other than the fact there were hearings going on to cancel the charter. That's all the knowledge I had of it.

Q. You had discussed it with McDermott?

A. He maintained right from the beginning of my investigation that's what I was trying to do, get their charter cancelled at Cookeville.

Q. Did he tell you what the prospects were in regard to the cancellation?

A. No, I don't recall him saying any prospects; no, sir.

Q. On April 27th in the Scott reports at page 19 --

THE COMMISSIONER: Would this be a convenient time for a recess?

MR. WILSON: Yes.

---Short recess.

(Page 5380 follows)

---On resuming after recess.

MR. WILSON: Q. I was directing your attention to the Scott reports under date of April 27, at page 19. Now, on that date did you phone Scott about 11:55 in the morning?

A. Yes, I could have, sir; yes, sir.

THE COMMISSIONER: Q. Well, did you?

A. Sir, this is -- I haven't got my notes for this period, sir. I could have phoned.

Q. Those are the ones you threw in the trash can?

A. Yes, sir.

MR. WILSON: Q. On that occasion did you inform Scott you had heard he had been to Preston on the past Saturday attempting to make amends for breaking the door of an innocent party at that place, at Preston?

A. Sir, he told me that. I recall that he told me that there was a raid in Preston, and that they had broken in the wrong door and that he was trying to apologize, to smooth it over, to the person -- the premises that had been raided.

Q. You deny you told him about that, that you had heard about it?

A. No; he told me.

Q. You say he told you. Now, have you got your driving licence there?

A. Hm,mmm.

Q. What is the date of birth as appears there?

A. October 16, 1931.

Q. And how old does that make you today?

A. Today? 1931. Thirty-one, no, as of today, I am 30.

Q. As of today you are 30?

A. Yes.

Q. It was brought to my attention you said you were 31 the other day. That is just a slight error?

A. Yes, this is my 31st year; yes, sir.

Q. Now, you have told us about the various telephone calls you had with Scott and the various calls you had with McDermott. I take it you recall saying something about telephone calls to Chief Inspector Graham at the time of your arrest?

A. I don't recall, sir, what was said at the time of my arrest.

Q. Well, he asked you about Joe McDermott, didn't he?

A. I don't recall if he did or not.

THE COMMISSIONER: Q. What?

A. I don't recall if he did or not at the time, sir. If he asked me, I don't recall.

Q. Where?

Q. Also in the case of birds as

[illegible] theory?

A. Between 12, 2011.

Q. And how did does this cause you

[illegible]?

A. Sorry? 2011. Sorry, no.

[illegible] 1 on 24.

Q. So it took you one day

A. Yes.

Q. It was brought to my attention you

said you were 23 the [illegible] one. Was he just a

[illegible] [illegible]?

A. Yes, this is my [illegible] year.

[illegible]

Q. Now, you have told us about the

[illegible] [illegible] you had with [illegible] and the

[illegible] [illegible] you had with [illegible]. I take

it you [illegible] [illegible] [illegible]

[illegible] to [illegible] [illegible] [illegible] [illegible]

of your [illegible]?

A. I don't [illegible], sir, [illegible] [illegible]

at the time of my [illegible].

Q. Well, he [illegible] you [illegible] [illegible]

[illegible], didn't he?

A. I don't [illegible] if he [illegible] or [illegible].

The [illegible]: [illegible]

Q. I don't [illegible] if he did or not

at the time, sir. If he [illegible] me, I don't [illegible].

MR. WILSON: Q. If he made a note, as of May 28th, 1960, at 4:00 p.m., based on a conversation he had with you, to the effect you said you hardly knew Joe McDermott, would that be a correct statement of what you had told him?

A. Yes, I could have told him that; yes, sir.

Q. And did you tell him at the time of your arrest you never called McDermott, or anyone else from Belleville, except Scott?

A. I don't recall, sir.

Q. Well, did you or did you not?

A. Well, I don't know, sir. I don't recall. I didn't make any notes at that time, sir.

THE COMMISSIONER: Q. Well, if you did tell him that, was it true?

A. It wasn't true. I wasn't going to tell Inspector Graham anything. He came down and arrested me.

Q. I say, if you did tell him that was it true?

A. That I hadn't talked to -- what is the question again?

MR. WILSON: Q. Did you tell Chief Inspector Graham that you had never called McDermott, or anyone else from Belleville, except Scott, at the time of your arrest?

A. I could have, yes.

MR. KIDDER: Q. If he made a note, as or[illegible] [illegible], Jack, or Hard Pan, meant on a conversation he had with you, to the effect you and your family from the Mainstreet, would that be a correct statement of what you had told him?

A. Yes, I could have told him that, yes, sir.

Q. And did you tell him at the time of your arrest you never called Mainstreet, or [illegible] from Indianapolis, Bonnie Barrett?

A. I don't recall, sir.

Q. Well, did you or did you not?

A. Well, I don't know, sir. I don't recall. I didn't [illegible] sir.

THE COMMISSIONER: Q. Well, if you did well him that, was it true?

A. It would have. I would give to tell Inspector Gordon anything. He came here and arrested me.

Q. I say, if you did tell him that -- if true?

A. That I heard to lead to -- that is the question again?

MR. KIDDER: Q. Did you tell Inspector Gordon that you had never called Mainstreet or Bonnie from Indianapolis, Bonnie Barrett, at the time of your arrest?

A. I could have, yes.

Q. Why would you tell him that?

A. Well, he came down with a warrant to arrest me, and I showed him my notebook and he had two weeks to read that thing. He acted as if it was nothing.

Q. Why would you lie to him about your calls to McDermott?

A. I wasn't going to tell him anything, sir.

Q. You did tell him, you told him you never called McDermott. Why did you do that?

A. Well he came down and arrested me. I wasn't going to tell the man anything.

Q. You told us in your evidence the other day, 5101, that,"I made a statement to Inspector Graham at the time I was arrested, . . ."?

A. That is right, concerning my investigation.

Q. As part of your statements to Inspector Graham, why did you lie to him about your calls to McDermott?

A. There was no particular reason why I would lie to him. They interrogated me all the time; I wasn't going to tell him anything until I got legal advice.

Q. Why would you cover up on those calls, if it was part of your so-called investigation?

A. I told him I was doing an investigation.

Q. Why would you cover up the calls to McDermott?

A. I wasn't covering up calls to McDermott. Mr. Graham found my notebook in my dresser drawer, and he told me right then and I told him to read that and, then, he said, "I haven't time to read that", and I told him I didn't want to make any statement.

THE COMMISSIONER: Q. Well, if you did tell him you had not called McDermott from Belleville, was that true?

A. That was not true, because I had called McDermott.

Q. If you told him you had not called McDermott from Belleville, you were lying to Graham?

A. Well, if you want to call it a lie. I figured --

MR. WILSON: Q. What do you call it?

A. I explained why I said that.

THE COMMISSIONER: Q. What do you call it, is the question?

A. Just one of those things.

MR. WILSON: Q. You do not call that a lie?

A. I explained to you, I wasn't going to tell Inspector Graham anything because he more or less scoffed at my investigation. He came down to arrest me at eight o'clock in the

morning, or 8:30.

Q. That is not your idea of a lie, when you said you did not call McDermott?

A. Not when I said I didn't want to make any statement at all.

Q I suppose you have the same philosophy in the witness box in the last few days, in giving your evidence?

A. No, sir, I am glad to be here.

Q. You are glad to be here?

A. Yes.

Q Have you the same interpretation of the lie in the evidence you are giving here, about the statements you made to Chief Inspector Graham, so far as the rest of your evidence is concerned?

A. No, sir, I am under oath now. I am under oath.

Q. How does that affect your ability to tell the truth?

A. I am telling the truth.

Q. So that if you had been under oath when you spoke to Chief Inspector Graham you would not have told him you had never called McDermott. Is that right?

A. Sir, he interrogated me all day.

Q. No, answer that question: If you had been under oath at that time you would not have told him that, that you had never called

McDermott?

A. I would have told him the truth.

Q. Yes. Now, coming to May 17 in the -- I am sorry. Maybe I will have to go to April the 12th, first. I think I will have to refer first to April the 12th, at page 17 in the Scott reports, item No. 26. This refers to your meeting with Scott at the Wallace Hotel on April the 12th. Item 26. Scott says you told him that you had joined a organization to further your friendship with Deputy Commissioner Bartlett. Did you make any such a statement to him?

A. No, sir, that is a downright scandalous, cooked-up story. He was asking me about the certain organization he wanted to join and he was mad because he couldn't join, continuously. Why I would make up a story like that?

Q. Do you deny you made such a statement?

A. I didn't make such a statement.

Q. Did you, in fact, join this particular organization?

A. Yes, sir, I did.

Q. That the Deputy Commissioner was a member?

A. Yes. Yes, he is a member; yes.

Q. And then, on May the 17th, did you

on that date, meet with Scott?

A Yes, sir.

Q. At the Earl French Club?

A. Yes, sir.

THE COMMISSIONER: What date?

D/2 MR. WILSON: May 17. It is page 26.

A. I could have, sir.

Q. During the evening did P.C. Lawrence join Scott and yourself?

A. I recall -- Yes, there were times when P.C.Lawrence had joined us, yes.

Q. I recall to your memory that that was the day the two of you left the Earl French Club and went to a service station where you bought four new tires for your car at a cost of $90. and you went to the Bank of Commerce, Broadview and Gerrard?

A. Yes, sir. The Bank of Nova Scotia, not the Bank of Commerce.

Q. The Bank of Nova Scotia. And, then, during the evening of that day, Constable Lawrence joined the two of you, didn't he?

A. Yes, he could have.

Q. So, we have three people now who have their recollections of what took place that evening, Scott, Lawrence and yourself?

A Yes, sir.

Q. Now, during the evening, did you sit outside the Earl French Club with Scott and

Lawrence and have a discussion?

A. I am trying to recall -- I can recall this night we had been drinking all day and all night and F.C. Lawrence was going to drive me to get a coffee before I drove my car home.

Q. Are you suggesting you drank so much you do not remember what occurred on that occasion?

A. I recall vaguely Lawrence and Scott and me. In fact, the two of us, Scott and I, were drinking quite heavily, yes.

Q. Do you recall the discussion about the arrangements that Lawrence and Lamorie had with the gamblers?

A. No, I don't recall any discussion of that.

Q. You swear there was not a discussion at that time, about the arrangements Lawrence and Lamorie had with the gamblers?

A. I don't want to swear because I don't recall exactly. I recall him -- .

THE COMMISSIONER: Q. Go ahead.

A. I am trying to think, sir.

Q. You can recall him what?

A. I can recall Lawrence coming to the Club this particular evening.

Q. Yes?

A. And there were other policemen there. We had been sitting discussing just police

talk this evening. I can recall -- I believe -- This is the night, I am only guessing, I asked P.C.Lawrence to drive me home. I think he was going to drive Scott home -- not home, but to my car and we were going to get something to eat, or a coffee, and I believe he drove Scott. In fact, I don't think he did drive me, I think I changed my mind and I got out -- I think I got out of the car and changed my mind and walked to the restaurant, I think.

MR. WILSON: Q. Are you prepared to pledge your oath Lawrence did not discuss with Scott and yourself that evening the arrangement he and Lamorie had with the gamblers, for tip-offs?

A. Oh, he didn't discuss that, no, sir. No, sir.

THE COMMISSIONER: Q Who did not discuss it?

A. Nobody discussed it to my knowledge.

Q. Have you a recollection of it?

A. I have a recollection - - I can't swear because I don't remember what happened exactly that evening, if this is the night -- this is the night that Lawrence was going to drive me home.

Q. I am not concerned whether he drove you home or not; I am more concerned with the discussion you had with Lawrence that night?

A. I don't recall any discussion,

other than our police talk. We were sitting in the club, a bunch of us, drinking beer in the club, and discussing police talk in general.

Q. You have no recollection of what was said?

A. No, sir, I have no recollection.

MR. WILSON: Q. Whose car were you in? Was it your car? You remember you had bought the new tires that day?

A. Yes, that is right. When I bought the new tires, I left the car down at the service station. They were going to put that tires on, if I can recall. I think we could have been in Lawrence's car. It seems to me if this is the night, he was going to drive me to my car after we had been in the club.

Q. And you swear that Lawrence did not say anything about any arrangements he and Lamarie had with the gamblers about supplying information to them?

A. I don't recall --

THE COMMISSIONER: He has no recollection.

THE WITNESS: I have no recollection of what they discussed.

THE COMMISSIONER: Now, put it to him what was supposed to have took place.

MR. WILSON: Q. If Scott swears that it was stated by Lawrence that he and Lamarie are receiving $500. a month for their patches,

included in it is $250. a month from Joe McDermott for supplying information regarding the clubs, do you swear that statement was not made by Lawrence that evening?

A. I don't recall that statement being made at all, sir.

Q. You won't swear it was not made?

A. No, it could have been. I don't know. I can't remember.

Q. And, further, that Lawrence said that he and Lamorie had Petrochenko for a patch?

A. No, I don't recall that, sir.

Q. Do you swear it was not so stated by Lawrence on that occasion?

A. It could have been. I don't recall it, sir. I am not saying it was not made because I don't recall.

Q. And that Lawrence said he would like to have only the clubs to look after, with remuneration of $500. per month for each man -- that is, for Lamorie and himself?

A. I don't recall that, sir.

Q. Will you swear he did not say that?

A. I wouldn't swear he did not say it because I don't recollect whether he did or not.

Q. And that Lawrence said Lamorie

is after all the patches he can get?

A. I don't recall any of this.

Q. Will you swear he did not make that statement?

A. I don't know whether he made it or not. I don't know.

Q. What do "patches" mean to you?

A. Patch?

THE COMMISSIONER: Oh, you have heard the word before, do not feign such innocence. You know what it means, don't you?

A. Patch is -- Well, I am not too clear exactly what it is; whether it is supposed to be supplying information to a bookmaker or supplying information to a crap house, or supplying information to sweepstake distributors. I don't know, sir. I don't know exactly what it means, but it means along them lines.

MR. WILSON: Q. Further, that Lawrence said on that occasion that he and Lamorie originally went to Sammie Balsam to obtain patches?

A. I don't recall that at all, sir.

Q. Will you swear he did not make that statement on that occasion?

A. He could have made it, sir, but I don't recall. I don't know.

Q. And that he made a statement -- that is, Lawrence made a statement -- that a

to defend all the positions the case gives?

A. I don't recall any of them.

Q. Will you answer to the one that

that concerns?

A. I don't know whether to state it

or not. I don't know.

Q. What do "publishers" mean to you?

A. Bureau.

Mr. [illegible] Q. You have been

the [illegible] informed, do you [illegible]

the [illegible] [illegible] [illegible]?

A. Which is -- well, I am not too

clear exactly what it has, whether it is supposed

to be supplying information to a newspaper or

supplying information to a news bureau, or

supplying information, or [illegible]

I don't know, etc. I don't have [illegible]

it [illegible], but it [illegible] [illegible]

Q. [illegible] Q. Further, that [illegible]

and by that [illegible] [illegible] the [illegible]

[illegible] [illegible] [illegible] [illegible]

[illegible]

A. I don't recall that in [illegible] min.

Q. Will you answer the [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

A. We would keep [illegible] [illegible], but

I don't recall. [illegible]

Q. You have to make a [illegible] --

[illegible] [illegible] [illegible] [illegible] [illegible]

member of the senior personnel of the legal -- legal personnel of the Attorney General's Department is receiving $800. a month from the thieves?

A. That Lawrence -- I don't recall this taking place in the car, at all, sir.

Q. Or any place else that evening, whether in the car -- You are not splitting hairs, whether it was in the car or in the club, are you?

A. I thought we were referring to in the car, sir.

Q. Have any of the matters which we have been just discussing, which you say you do not recall in the car, do you recall them taking place anywhere else that evening or that day?

A. No, sir.

Q. Or any other day?

A. No, sir.

Q. Coming back to this one, about the statement of Lawrence, that a senior member of the legal personnel of the Attorney General's Department was receiving $800 a month from the thieves, did he make such a statement that day?

A. I don't know, sir, whether he did or not.

Q. Will you swear he did not make it?

A. No, I won't swear he didn't make it.

I don't recall.

Q. Now, on that same occasion, did you say that Deputy Commissioner Bartlett received money from McDermott for advising him when he signed a search warrant relating to the clubs and that at some time in the past Deputy Bartlett received $2,000 from McDermott for the aforementioned reason? This taking place at a party attended by the Deputy, Jim Maloney and Joe McDermott. Did you make such a statement on that occasion?

A. No, sir.

THE COMMISSIONER: Did anybody else?

A. No, sir, not that I can recall. No, sir.

MR. WILSON: Q. You swear it was not made by you on that occasion?

A. It wasn't made by me, no sir.

Q. You swear you did not make that statement?

A. No, sir, I don't know why he could have been trying to black ball all these people. I can't understand it, sir. I think he put all his enemies in these reports.

Q. Was Bartlett an enemy of Scott's?

A. Well -- He had made remarks about Mr. Bartlett over the years.

Q. What did Bartlett have to do with carrying out of his job by Scott and yourself

on the Anti-Gambling Squad?

A We used -- He used to sign warrants to search for us when we went on a raid to the Bell Telephone Company.

(Page 5396 follows)

Q. Well, apart from that, what other contact did you or Scott have with him when you were on the Anti-Gambling Squad?

A. With respect to the squad, sir?

Q. Yes, with respect to carrying out your duties in any way?

A. It was just for the - to get the warrants, the warrants to search signed.

Q. Now, why do you say that Bartlett would be an enemy of Scott? What would you base that on?

A. I don't know why he was an enemy of Scott.

Q. Well, I am asking you why would you say he was an enemy of Bartlett, or Bartlett was an enemy of his?

A. Well, he - I can recall one time, it would be back about 19 - would be about 1959, and it could have been 1958 - either 1958 or 1959, we had executed a warrant to search at a premises out at - out by the Rouge, anyway. I don't - I can't recall the exact place out there, with respect to obtaining evidence to do with book-making, and I can recall we didn't get any, or we didn't get enough evidence to warrant a charge; but during the course of raiding these premises, - P.C.Scott, and there were other officers there, there was myself, there was three or four of us officers there anyway, but Scott was

very very snippy with this woman that was in the house at the time that we had raided. In fact I think I can recall she had slapped his face because he was - well, he was continually hollering at her. However, when we returned to the office, it was either the next day or it was shortly after that, Deputy Bartlett asked me to go to his office, and asked me what had taken place, because apparently he had heard this woman had complained, and apparently Bartlett - Deputy Bartlett asked me to make a report on the incident, and I went back and told Constable Scott this, that this report had been made concerning this incident, and he said that was just - it was just one - something about Bartlett's trying to interfere with the branch, or something to that - like that - to that effect, because, see, we never actually answered directly to Deputy Bartlett.

Q. No, I don't think so. Did you make the report?

A. I believe I submitted a memorandum, as he asked. I believe so, yes, sir.

Q. And you say that that is the basis for Scott considering Bartlett an enemy?

A. Yes.

Q. Anything else?

A. Well, he used to go over to this fraternal organization. I recall he used to -

he used to say about Deputy Bartlett that he spent all his time at this fraternal organization, and he was constantly making remarks about him to that effect.

Q. Now, how did you get home that night? By your own car?

A. - - I don't recall, sir. It could, yes. I don't recall exactly how I got home. I imagine - -

Q. Were you able to drive a car at the end of the evening?

A. Well, I had, as I said, I may have gone for a coffee, could have gone to my parents' home and had something to eat.

Q. I am not asking where you could have gone to; I am asking were you quite sober and able to drive a car at the end of the evening?

A. No, I wasn't, not right at the end of the evening, no, sir.

Q. Well, what was it that was not quite at the end of the evening?

A. What was it that wasn't?

Q. Yes? I say, were you quite sober at the - - at 11:30?

A. No, sir.

Q. You were not?

A. Neither of us were.

Q. And were you able to drive a car?

[illegible] to [illegible] Angela, [illegible] [illegible]
[illegible] 313 [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]

A. [illegible], [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]

Q. [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

A. [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

A. [illegible], I [illegible], [illegible] [illegible], I [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

A. I am not [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]. I am [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

A. [illegible], I [illegible], [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

A. [illegible], [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

A. [illegible] [illegible] [illegible] [illegible]

Q. [illegible] I [illegible], [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

A. [illegible] [illegible].

Q. [illegible] [illegible]

A. [illegible] [illegible] [illegible]

A. [illegible] [illegible] [illegible] [illegible] [illegible]

A. Not at that time, sir, no.

Q. Did you drive your car home?

A. Not at that time, sir.

Q. What time did you drive it home?

A. That would be just guessing. I could have gone to my at my parents' place all night, or I could have ate there, and had coffee there, or I could have gone to a restaurant. I don't exactly recall, sir.

Q. So you are saying that you might have gone someplace, but you haven't told us yet when you drove your car away from the Earl French Club?

A. I don't know. I don't know when. I may have returned later during the night, or I may have left it there all night.

Q. Were you in the habit of drinking so much that you had to leave your car at any place you went to have a drink?

A. No, sir. It just happened to be we had been together all day this particular day, since about two o'clock in the afternoon.

Q. Yes. Well, at what state of sobriety were you at 11:30 that night?

A. Well, I don't recall what state, sir.

Q. Well - - -

A. At least I know that I must have - - I can remember a night, if that is the same night,

A. Not at that time, sir, no.

Q. Did you drive that car away?

A. Not at that time, sir.

Q. What time did you drive it away?

A. That would be just speculation.

I could have gone to my at my parents' place all right, or I could have saw them, and had coffee there, or I could have gone to a restaurant. I really really, sir.

Q. If you had laying that in-night have gone someplace, but you haven't told us yet when you drove your car away that night.

A. I don't know. I don't know, sir. I may have returned later during the night, or I may have left it there all night.

Q. Were you in the habit of drinking so much that you had to leave your car at any place you went to have a drink?

A. No, sir. It just happened to be we had been together all day this particular day, since about two o'clock in the afternoon.

Q. Yes. Well, it was quite a-- burdensome was you at lying that night?

A. Well, I don't recall what happ, sir.

Q. Well --

A. At least I know that I must have -- I can remember a night, if that is the same night.

that is the night that Lawrence was - I asked him to drive me over to the restaurant, up to my mother's, and I think I decided not to, and then I got into the car, and I believe I went up on the other night to a restaurant, or to my mother's. I can't recall whether I went either place. In fact, that would be the only reason I might have left the car until the next day to pick it up.

Q. Well, are you suggesting that your memory of events that night is not clear because of what you had to drink?

A. Yes.

Q. Yes.

THE COMMISSIONER: Yes, what?

A. That they were not too clear on that night, because we had been drinking.

MR. WILSON:

Q. Well, now, I put it to you that every statement that I suggested to you Lawrence had made you did not - would not deny?

A. No, because I don't know whether it was said or not, sir.

Q. No, but the one statement I put to you that Scott says you made that night, about Deputy Commissioner Bartlett, you deny?

A. Now, I am misunderstanding there, sir. Are you speaking at 11:30 that night, because we met at two o'clock in the afternoon that day, two o'clock in the afternoon we would

be very sober at two o'clock in the afternoon.

Q. Now, what time was the statement about Bartlett made? What time of the day? Maybe we can figure this out?

A. I can't recall the statement about Bartlett being made at all.

Q Yes, the time the statements were made by Lawrence about this?

A. I don't recall him making any statements about all this. In fact Lawrence, on this particular night, came to the club quite late at night, I believe.

Q. Well, at what stage doyou suggest your memory might have been at fault, or might have been affected by your drinking?

A. I would think around nine or ten o'clock. We had been drinking since two o'clock.

Q. Nine or ten o'clock.

THE COMMISSIONER: Have we got this police diary?

MR. WILSON: We have got them, Mr. Commissioner, yes.

THE COMMISSIONER: Well, why not turn up his diary?

MR. WILSON: May I see the diary? Have we got it here? Where are they? Have you got them there, Mr. Biggar?

THE REGISTRAR: No, I haven't.

MR. WILSON: Now, was this a day off for

you, because apparently it started in the afternoon, and carried on into the evening?

A. It must have been a day off, sir.

Q. And you would be returning to duty at Belleville the next morning, is that correct?

A. I am not sure. I May have had two days off, sir. I am not sure. If I had my diary, I could - - -

MR. WILSON: Well, we will just take a look at the diary and see what it says. Now, for May 17th, which is the day we were just speaking about, the entry is: 'Weekly day of rest', is that correct?

A. Yes, that is what it says. Yes, sir.

Q. And then for the next day, which was Wednesday, May the 18th, the entry is: '8:00 a.m. to 4:00 p.m., radio duty at - -' what is the next word?

A. Belleville.

Q. 'at Belleville?'

A. Belleville.

Q. So that you - -

THE COMMISSIONER: One hour?

MR. WILSON: 8:00 a.m. to 4:00 p.m.

THE COMMISSIONER: He must have driven back to Belleville?

A. I must have gone back to Belleville

you, because apparently it occurred to the attorneys, and counsel on both sides evidently -

A. It must have been a day off, sir.

Q. And you would be assuming so many as Gallivilli the next morning, is that correct?

A. I am not sure. I may have had the day off, sir. I am not sure. If I had my diary, I could - - -

MR. KIRSCH: Well, we will just take a look at the diary and see what it says.

Now, for May 17th, which is the day we were just speaking about, the entry for "Monday, day of rest", is that correct?

A. Yes, since is what it says. Yes, sir.

Q. And then for the next day, which was Wednesday, May the 19th, the entry for "9:00 A.M. to 6:00 P.M., radio duty at - - " what is the next word?

A. Gallivilli.

Q. "at Gallivilli"

A. Gallivilli.

Q. So that's - -

THE STENOGRAPHER: The Court

MR. KIRSCH: Yes, at 9:00 A.M.

THE STENOGRAPHER: We just have driven

back to Gallivilli.

A. I must have gone back to Gallivilli

during the night.

THE COMMISSIONER: You were sober enough to do that?

A. Well, your lordship, as I said, when I left the club, and left Lawrence and Lamorie, and either went to my parents' house or - either there or went to a restaurant - -

THE COMMISSIONER: Well, you said you didn't know where - to your parents' house, or to a restaurant, or where you went?

A. I don't know, but I say I could have. I say - - -

THE COMMISSIONER: You could have?

A. Yes.

THE COMMISSIONER: But you have no recollection of it?

A. No, sir.

THE COMMISSIONER: That diary is Exhibit 162, is it?

MR. WILSON: 162, yes. I recall that you told us that the last entry in your - - in your diary was April 22nd, 1960, and it was about that time you came to Toronto. Now, by reference to your diary, I see that April 22nd was your day of rest? April 22nd, day of rest?

A. Yes, sir.

Q. Now, April 23rd. Does your diary show that you were on duty in Belleville?

during the night.

THE CONSTABLE: Did you ever assault

you do that?

A. Well, you insulted, as I said,

when I left the club, and left Lawrence and

Dorothy, and either went by my partner's house

or - either there or went to a restaurant - -

THE CONSTABLE: Well, did you ever

daunt from home - in your partner's house, or

to a restaurant, or where you went?

A. I don't know, but I am I could

marry. I say - - -

THE CONSTABLE: You stand down.

A. Yes.

THE CONSTABLE: Did you know in

relationship of Lev

A. No, sir.

THE CONSTABLE: Miss Clary is

Dorothy Ann, is her

MR. WILSON: No, yes. I recall that

you were in town the last entry in your - -

in your diary was April 26th, 1960, and it was

about that time you came to Toronto. Now,

by reference to your diary, I see that

April 22nd was your day of rest. April 23rd,

day of rest?

A. Yes, sir.

Q. Now, April 24th. Does your

diary show that you were on duty in Belleville?

A. Yes, sir.

Q. And the 24th?

A. Yes sir.

Q. And does it show the same?

A. Yes, sir.

Q. And does the 25th show the same?

A. Yes, sir.

Q. And then on the 26th you were - had a day of rest?

A. Yes, sir.

R/2 Q And then from the 27th of April to the 30th of April - in fact, through to the 2nd of May, does it show that every day you were on duty in Belleville?

A. Yes, sir.

Q. And then on May the 3rd and 4th you had two days of rest?

A. Yes, sir.

Q. In fact you have three days, through to May the ~~4~~ 5th?

A. Yes, sir.

Q. Now, just tell us where - when it was that you made a trip to Toronto that you speak about? Maybe by looking at this diary it may help you?

A. Well, it would be - - if I can help you, sir, there would be memorandums from me asking for permission to leave the city. That might be easier. Well, I probably would

A. Yes, sir.

Q. And you [illegible]

A. Yes sir.

Q. And then it was that you [illegible]

A. Yes, sir.

Q. [illegible] the time when you [illegible]

A. Yes, sir.

Q. And when on the first day you were - and a day or two?

A. Yes, sir.

Q. And that from the city of Ayala to the Port of Ayala - is true, through to the end of May, there is some time every day you come to stay in Pulilatlay

A. Yes, sir.

Q. And then on May the 2nd and 4th you had two days of rest?

A. Yes, sir.

Q. Is that you have these days, through to May the 8th?

A. Yes, sir.

Q. Yes, just tell us where - when it was that you made a trip to Lamudon and you spent month? Maybe by looking at this chart it may help you?

A. Well, it would be - - If I was really you, sir, there would be measurements from the starting for practicing to leave the city.

This origin is [illegible]. [illegible] I [illegible] origin

have come on April 22nd. I used to come over every day I had off, you see. In fact, I would have left April 21st. I would have left at eight o'clock or four o'clock in the afternoon, I was on duty from eight to four, and I would have left probably at four or five o'clock. That was Tuesday to Thursday, and would give me all day in Toronto on the 22nd.

Q. Well, in fact, on April 22nd, you had a meeting with Scott at the Wallace Hotel?

A. Yes sir.

Q. Accompanied with F.C.Wood?

A. Yes, sir, and that is the weekend - - that is the time I came down to purchase my car. That is right. I believe that is the time that I - -

Q. Well, I will come back to that. You told us about how you came to start a new diary. I would like to have that evidence turned up first.

A. Yes sir.

Q. Now, I want to ask you a few questions about your finances.

A. Yes sir.

Q. Yes. Maybe I will go on with this, Mr. Commissioner. In the evidence at page 5179, he is asked about the termination of the entries in this diary:

have come on April 22nd. I used to come over every day I had off, you see. In fact, I would have left April 21st. I would have left at eight o'clock or four o'clock in the afternoon. I was on duty from eight to four, and I would have left probably at four or five o'clock. That was Tuesday to Thursday, and would give me all day in Toronto on the 22nd.

Q. Well, in fact, on April 22nd, you had a meeting with Scott at the Wellington Hotel?

A. Yes sir.

Q. [illegible]

A. Yes, sir, and then in the weekend - - that is the time I came down to purchase my car. That is right. I believe that is the time that I - -

Q. Well, I will come back to that. You told us about how you came to start a new story. I could ask a few [illegible] on Cross.

A. Yes sir.

Q. Now, I want to ask you a few [illegible] questions.

A. Yes sir.

Q. Yes. Again I will go on with this, Mr. Commissioner. In the evidence at page 5170, he is asked about the examination of the witness in this library:

"The reason I didn't make entries
"in that diary at that time was I
"gave my brother it, because I
"wanted him to read it".

And the diary we have filed, or a copy of the diary we have filed here as an exhibit?

A. Yes, sir. Yes. I would have left it with my brother that night. Yes, sir.

Q. Yes. Then on page 5180 you say you turned over the original diary to him around about the 22nd of April, and that he had it for about a week?

A. Yes. He could have had it two weeks. I don't know just exactly how long he had it.

Q. And - - -

A. That is why the other diary started. I started inthe other diary at the time, because he had this at his home.

Q. And this other diary is the one you have told us about that was in the cupboard under the stairs.

A. Yes, sir.

Q. There is only one - there is only one clothes closet underthe stairs in the apartment you were in on the day of your arrest, isn't that correct?

A. No, there is two. There is one near the front door and there is one at the rear

"Mr. Jackson's diary's more detailed.

"I don't diary at most just one I

"just my handwriting, however I

"wanted that to know it".

And who diary he have kept, or a copy of the diary he does still have in his possession?

A. Yes, sir. Yes. I would have left it with my brother-in-law, Jack, sir.

Q. Yes. When we page back you say you turned over the original diary to him.

Turned round the kind of spiral, and then he had it for about a week?

A. Yes. He could have had it two weeks. I don't know just exactly how long he had it.

Q. And - - -

A. That is why the other diary always, I started into some place in the line, because he has the diary.

Q. And then other diary is the one you have told us about that was in the courtroom under the counter.

A. Yes, sir.

Q. There is only one - there is only one other diary pertaining in the courtroom you were in on the day of your arrest, isn't that correct?

A. No, there is not. There is one near the front door and there is one in the rear

of the hall.

Q. Well, now, which - -

THE COMMISSIONER: They are not both under the stair, are they?

A. Well, this is a converted apartment, and old house, and there is a big stairway.

THE COMMISSIONER: Are they both under the stairs?

A. Yes, sir.

THE COMMISSIONER: I see.

MR. WILSON: All right, then, was it the front one, nearer the front door, where this second diary was located when they made their search?

A. No, it was the one at the back.

Q. The one at the back. Now, just tell us what was in that one at the back, apart from the so-called second diary?

A. Well, I had a box with all my expense accounts over the years from the O.P.P.

Q. Yes.

A. I had a lot of LE 39's from different reports, investigations I had over the years. These are copies and - - -

Q. Did you have sportsclothes in that particular closet?

A. Sports - - yes, I could have, yes sir.

Q. Yes?

A. I know my uniform, my police uniform, I believe some of it was them too.

Q. Yes. Now, was the box in which this second diary was, was it on the floor?

A. It was either on the floor, or piled on top of something else.

Q. Yes, and what kind of a box was it?

A. A vacuum cleaner box.

Q. A vacuum cleaner box.

THE COMMISSIONER: A cardboard carton?

A. Yes, sir. It was quite a large box, and all these - these documents I just mentioned were in that.

MR. WILSON: Well, what would the size of it be? 2 feet by 18 inches or 3 feet?

A. Well there was enough room like for one of these folders, a little over, and a little extra room, so it would be about 18 inches, whatever the length of those, yes.

Q. And what was in that box, along with this second diary?

A. There was the forms.

Q. What were the forms? LE?

A. There was LE 39's for each year I had been on the Force, investigations.

THE COMMISSIONER: What are they?

A. They are what we call criminal reports. They are submitted to the Commissioner,

A. I know my mistake, my pains
centre. I believe some of it was burnt too.

Q. Yes. Now, was the bar in this
main second story was, was it on the floor?

A. It was either on the floor, or
what we had of construction work.

Q. Yes, and what kind of a bar was
it?

A. A vacuum cleaner bar.

Q. A vacuum cleaner bar.

THE CONSTABLE: A carpetbeater.

A. Yes, sir. It was quite a large
bar, and all these a thing, something of that
nature were in there.

Q. Well, what would the size
of it be? 2 feet by 4? Anyone or 3 feet?

A. Well, there was enough room
like for use of three fellows, a little over,
and a little extra room, so it would be about
12 inches, considering the height of these pipes.

Q. And what was in that bar, along
with this vacuum cleaner?

A. Some bar was there.

Q. And were the tools? Did
you have tools?

A. There was 12 pipe for each year
I had been on the force, investigations.

THE CONSTABLE: Then use that.

A. They are also no call criminal
reports. They are submitted to the Commissioner.

and we keep a copy of it, and there was the same - there would be a copy of expense accounts for each month and each year. There was charter investigations for each year. There was quite a - quite a few.

MR. WILSON: Q. Did the officers who executed this search warrant take away anything that was in this box?

A. No, sir.

Q. Was there more than one carton in that closet at the back?

A. Yes, I believe there was. There was quite a large carton with - - full of books and paraphernalia. Also there was suitcases in there too.

Q. And in all events you say the officers who made the search did not seize this second diary, and just left it there?

A. Yes, they left it there, sir, yes, sir.

Q. And they couldn't have missed it, could they? They couldn't have missed this box when they were making their search, if they made a proper search?

A. Could they have missed it, or couldn't they have missed it, do you mean?

Q. Well, could they have missed this box, this carton? I mean they couldn't fail to see it?

only on long a map of it, and there was the land - there should be a map of exploring expedition for each month and each year. There was another (investigation) for each year. There was quite a - quite a few.

MR. WILLMOTT Q. Did the officers who executed this report receive this map showing that was in their care?

A. Do, sir.

Q. The Duke sent from one series to that client to the Estate?

A. No, I believe there was. There was quite a large carton with - full of maps and pamphlets. Also there was reference to these maps.

Q. And in all events you say the officers who made the search did not value this annual report, but just left it there?

A. Yes, they left it there, sir, yes, sir.

Q. And they couldn't have missed it, could they? They evidently have missed this not even they were looking where looking, if they made a proper search?

A. Could they have missed it, or couldn't they have missed it, do you think?

Q. Well, could they have missed it? Yes or no, this report? I mean they couldn't miss it, can they?

A. Well, it was inthe back. It was a large clothes closet, and it is a fairly big box.

Q. Well, I am asking how could they have missed it, if they made a proper search?

A. Oh, they could have missed it, yes, sir.

Q. And did the closet have an electric light in it?

A. No, I don't believe it did. I believe both - both closets, neither of them had an electric light in it.

Q. Well, was there light from the hall that would enable you to see what was going on in there?

A. Yes. It would be quite a ways up the hall. In fact, I used, when I went in the closet any time, I used to use a flashlight.

Q. Yes. Now, you joined the force in March of 1953.

THE COMMISSIONER: Now, are you going into his finances?

MR. WILSON: Finances, yes, Mr. Commissioner.

THE COMMISSIONER: Now, he joined the force when?

MR. WILSON: March the - - March of 1953.

A. Yes, sir, I did.

Q. Now, at that time, did you have

any monies in the bank, securities, bonds, or other assets?

A. In the bank, I don't think I did. I think I had a bank account, and I had closed it out. Infact I had two bank accounts prior to that, which I had closed out, one at - - -

THE COMMISSIONER: Well, the simple question is at that time, when you joined the Force, did you have a bank account?

A. Well, I am - - that is what I am trying to recall, sir. I am not sure whether I did or didn't, sir, at that time.

MR. WILSON: Q. Well, did you have any money saved up, or in your own possession, or in the - - on deposit in any bank, or elsewhere?

A. I had money saved up, yes. I had the money at home.

Q. Well, how much, when you joined the force, would you say your assets were worth?

A. When I joined?

Q. Yes?

A. Oh, let me think - - I probably had some cash. I think - in fact I know I had cash. I have had cash all my life.

THE COMMISSIONER: Well, you didn't have a bank account? That is the first thing I wanted to get?

A. Well, sir, I am not sure.

THE COMMISSIONER: You are not certain of

and swing in the bank, accepting, young,
or older salary?

A. In the bank, I don't think I did.
I think I had a bank account, and I had closed
it out. Later I had the bank examine prior
to that, which I had closed out, and it - - -

THE COMMISSIONER: Well, the simple
question is at that time, when you joined the
Funds, did you have a bank account?

A. Well, I do - - that is just i
ng joining the Funds, sir. I do not know whether
I did or didn't, sir, at that time.

Mr. Filmore: Q. Well, did you have
any money saved up, or in your own possession,
or in the - - on deposit in any bank, or elsewhere?

A. I had money saved up, yes.

I had the money in bank.

Q. Well, how much, when you joined
the Funds, would you say that amount was worth?

A. Over $ [illegible]

Q. Yes?

A. Oh, let me think - - I probably
had some cash. I think - to that I mean I had
cash. I have had cash all my life.

THE COMMISSIONER: Well, you didn't
have a bank account? That is the Funds being
I mentioned to you?

A. Well, sir, I am not sure.

THE COMMISSIONER: You are not certain of

that.

A. I am not certain whether I did or not.

THE COMMISSIONER: You say you had money saved up, and that was not at a bank, it was at home, was it?

A. That is correct, sir.

THE COMMISSIONER: How much?

A. - - - (no answer).

THE COMMISSIONER: Oh, just approximately?

A. Well, I would say anywhere between maybe 1500 and 2,000 dollars.

THE COMMISSIONER: At home?

A. Well, yes, sir, definitely, Yes, sir.

L/3 THE COMMISSIONER: Where did you keep it at home?

A. I used to keep it in a box.

THE COMMISSIONER: Between 1500 to $2,000?

A. Yes sir.

THE COMMISSIONER: Is that what you say?

A Yes, sir. In fact it would be in various places in my home, because I used to collect silver dollars, bills, and that by the way - - -

THE COMMISSIONER: Just a minute, now. You had $1500 to $2,000 in your house?

A. Yes, sir.

THE COMMISSIONER: Now, where did you have it in the house?

Q. I am not certain whether I did or no.

THE CHAIRMAN: Did you put money away up, and that was put up a bank, if not as home, was it?

Q. That is correct, sir.

THE CHAIRMAN: Do you

A. - - - (no answer).

THE CHAIRMAN: Do you understand?

A. Well, I could not understand

THE CHAIRMAN: At least

A. Well, yes, sir, certainly, sir, etc.

THE CHAIRMAN: Have you keep it at home?

A. I used to keep it in a box.

THE CHAIRMAN: Between 1939 to £5,000?

A. Yes sir.

THE CHAIRMAN: In that was you say?

A. Yes, sir. In fact it would be in various places in my home, because I used to collect silver coins, Malie, and that by the way - - -

THE CHAIRMAN: Just a minute, sir. You had £1000 to £5,000 in your house?

A. Yes, sir.

THE CHAIRMAN: Sir, where did you have it in the house?

A. I would have it - - -

THE COMMISSIONER: Not where you would, where did you have it in the house? You remember that, do you?

A. Various places, sir.

THE COMMISSIONER: Q. Well, tell me where they were?

A. I would have some in the basement. Some would be in the basement.

THE COMMISSIONER: All right. Some in the basement. Just a moment.

MR. WILSON: Q Where abouts in the basement?

A. Well, I had a room in the basement where I used to collect fish, tropical fish.

MR. WILSON: This is at 117 Gooderham? Is it?

A. No, sir.

Q. Or what address is this?

A. This is my parents' home, 86 Riverdale Avenue.

THE COMMISSIONER: You had some in the basement?

A. Yes, sir.

THE COMMISSIONER: You didn't have it up on a beam, I suppose, or did you?

A Okay. I have - I used to keep it - there was a shelf where I used to keep the

A. I would guess it - - -

THE CONSTABLE: Mr. Jones you testify,

where did you have it in the basement?

The basement isn't, do you?

A. Various places, sir.

THE CONSTABLE: A. Well, well, you do

where they were?

A. I would have seen it in the basement.

Some would be in the basement.

THE CONSTABLE: All right. Sorry to

the basement. Step a moment.

Mr. KILGORE: Shown marked in the

basement?

Q. Well, I don't know if you

basement every - point to various little trophies

there.

Mr. KILGORE: This is an ATF Contraband

to ATF?

A. No, sir.

Q. Or were someone in there?

A. This is my parents' home, in

Alexandria Avenue.

THE CONSTABLE: You had some in the

basement?

A. Yes, sir.

THE CONSTABLE: You didn't have it

in all here. I suppose, or did you?

A. Okay. I have - I used to keep

it - there was a small place I used to keep the

fish on top, like an aquarium on top with the fish in it, and there was space in behind this shelf I used to keep it in there.

THE COMMISSIONER: Well, how much would you keep in behind - - behind the aquarium?

A. Yes.

THE COMMISSIONER: I see.

A. Beside the aquarium, and at the end of the shelf.

THE COMMISSIONER: You didn't have it in the aquarium?

A. No, sir. I didn't put it in the aquarium, no, sir.

THE COMMISSIONER: I have heard about money being in a flower pot. Now, how much did you have in the basement behind the aquarium?

A. I would say I would have had maybe there - 12 or 1300 dollars in bills. I used to keep my bills down there, and keep my change upstairs.

THE COMMISSIONER: 1200 to 1300 dollars in bills?

A. Yes, sir.

THE COMMISSIONER: All right.

Now, where else in the house didyou have money?

A. I used to keep - upstairs in my bedroom I used to keep it.

THE COMMISSIONER: In your bedroom?

Kish on top, like an equestrian on top with the fish in it, and there was space in between this stand I used to keep it in there.

THE COMMISSIONER: Well, how much would you keep it second - - before the incident?

A. Yes.

THE COMMISSIONER: I see.

A. Beside the equestrian, and at the end of the shelf.

THE COMMISSIONER: Ten Elton's have it in the equestrian?

A. No, sir. I didn't keep it in the equestrian, no, sir.

THE COMMISSIONER: I see. Just just money coming in a flower pot. Now, how much did you have in the basement behind the equestrian?

A. I would say I would have had maybe twenty - 15 or 1500 dollars in bills.

I used to keep my bills down there, and keep it change usually.

THE COMMISSIONER: 15 or 1500 dollars in bills?

A. Yes, sir.

THE COMMISSIONER: All right.

Now, where else in the house did you store money?

A. I used to keep - quarters in my bedroom I used to keep it.

THE COMMISSIONER: In your bedroom?

A. Yes, sir.

THE COMMISSIONER: Where in the bedroom?

A. Well, this would be in various spots. Some in a wooden box would be under the bed. Some would be in the clothes closet.

THE COMMISSIONER: Just a minute, now. Some in a wooden box under the bed. Some where else?

A. In the clothes closet.

THE COMMISSIONER: Some in the clothes closet.

A. Some in the drawer. That would be the bureau drawer.

THE COMMISSIONER: Some in the bureau drawer.

A. And this would be in the form of silver, like maybe $200.00 or $300.00 of half dollars.

THE COMMISSIONER: Now which are you talking about?

A. This was in the bedroom.

THE COMMISSIONER: That in the bedroom would be in silver?

A. Pretty well, yes, sir.

THE COMMISSIONER: Well, I want to find out where you had it. Some in a wooden box under the bed; some in a clothes closet; some in a bureau drawer.

A. Yes, sir.

MR. WILSON: Now, is that --

A. Yes, sir.

THE CONSTABLE: Here is the handkerchief.

A. Well, this would be in various pieces. Here is a woman's hair ribbon in the bed. Some would be in the clothes closet.

THE CONSTABLE: Just a minute, man. Some in a wooden box under the bed. Some where else?

A. In the kitchen library.

THE CONSTABLE: Some in the kitchen cabinet.

A. Some in the drawer. That would be the kitchen drawer.

THE CONSTABLE: Then in the bedroom drawer.

A. The side board is the left side of silver, like maybe $20.00 or $30.00 worth of metal dishes.

THE CONSTABLE: Now which did you mention first?

A. This was in the bedroom.

THE CONSTABLE: Then in the bedroom would be in silver?

A. Pretty well, yes, sir.

THE CONSTABLE: Only I meant to find out where you had it. Some in a wooden box under the bed; some in a clothes closet; some in a brown drawer.

A. Yes, sir.

Mr. [illegible]: Yes, in that —

THE COMMISSIONER: Well, that is all the places in the bedroom where you had it put away?

A. Yes, sir.

THE COMMISSIONER: All right. Now, how much would you have in the bedroom, do you think?

A. Maybe four or five hundred dollars, sir. Probably more in silver.

THE COMMISSIONER: Well --

A. I don't recall.

THE COMMISSIONER: Don't be modest about it, now. If you had more tell us.

A. I don't recall back, sir, exactly how much back in that time.

THE COMMISSIONER: Well, would it be fair to say four to five hundred dollars?

A. Yes. Yes, because I always had a lot of silver. I believe they seized - in my apartment the police seized a quantity of silver.

THE COMMISSIONER: Oh, yes, they might have them.

A. Oh.

THE COMMISSIONER: I want to know what you had when you joined the force, not what you left with.

A. Yes, sir.

THE COMMISSIONER: Four or five hundred dollars in the bedroom. Now, where else did you have money in the house?

A. No where, other than the basement.

THE COMMISSIONER: In the basement, and in

THE COMMISSIONER: Well, then in all the places in the bedroom where you had it put away?

A. Yes, sir.

THE COMMISSIONER: All right. Now, how much money you have in the bedroom, do you recall?

A. Maybe four or five hundred dollars.

ARR. Somewhere around in silver.

THE COMMISSIONER: Well --

A. (Nodding.)

THE COMMISSIONER: Don't be nervous about it, now. If you had more tell us.

A. I don't usually keep, you, money, how much cash in that time.

THE COMMISSIONER: Well, would it be safe to say four to five hundred dollars?

A. Yes. Yes, because I always had a lot of money. I believe they seized - in my searches the police seized a quantity of silver.

THE COMMISSIONER: Yes, you, you began here.

A. Oh.

THE COMMISSIONER: I want to know what you had when you buried the trees, not what you left with.

A. Yes, sir.

THE COMMISSIONER: Four or five hundred dollars or six dollars. Now, about how do you have money in the house?

A. Oh-ooooo, some time for instance.

THE COMMISSIONER: In the bedroom, you is

the bedroom?

A. Yes, sir.

THE COMMISSIONER: And the total, you think, was fifteen hundred to two thousand dollars, is that what you said?

A. Yes, sir.

THE COMMISSIONER: Mr. Wilson?

A. But, sir, I have only reasoned it, because I am not exactly sure how much there was.

MR. WILSON: Apart - apart from this money, did you have any bonds, or any other securities of any kind, or any insurance?

A. I believe I did have bonds. Now, I don't remember how much, or maybe I cashed them. I don't recall, sir, if I did or didn't.

Q. Well, you say you believe you had some bonds. Do you know whether in fact you had any bonds at the time you joined the force?

A. Well, I had some bonds prior to my joining the force, and then I cashed them in, turned them into cash.

Q. Well, I suggest during the adjournment --

THE COMMISSIONER: Excuse me, Mr. Wilson. You have a recollection of that, have you?

A. Oh, yes, I recall having bonds, and changing them into cash.

THE COMMISSIONER: All right. So that at the time you joined the force you didn't have

the Commons?

A. Yes, sir.

THE COMMISSIONER: And the tracks, you know, are fairly well in the direction of Gatineau?

A. Yes, sir.

THE COMMISSIONER: Mr. Gilmour?

Q. Yes, sir. I have only remarked it, because I am not quite sure how much there was.

Mr. WILSON: Apart - apart from this meeting, did you have any words, or any other communications of any kind, or any transmission?

A. I don't remember how much, or no, as I another time. I don't recall, sir, if I did or didn't.

Q. Well, you say you believe you had some doubts. Do you remember in that sense, had any doubts at the time you joined the force?

A. Well, I had some doubts prior to joining the force, and then I received them, but at that time not.

Q. Well, I suppose [illegible]

Mr. [illegible]

Q. You have a recollection of that, have you?

A. Yes, sir, I remember having doubts, and thoroughly been sure.

THE COMMISSIONER: All right. So that at the time you joined the force you didn't have

any bonds, you had already converted them into cash, is that what you want me to understand?

A. I might have, sir. I am not sure, sir. You see I do recall cashing some bonds into cash, converting them into cash.

THE COMMISSIONER: And what did you do with the cash?

A. I had it in the house.

THE COMMISSIONER: Would that be behind the aquarium?

A. Yes, sir. Some behind the aquarium.

THE COMMISSIONER: Where did you keep the bonds?

A. I kept them in the house also.

THE COMMISSIONER: Behind the aquarium?

A. No, I believe I kept the bonds in my bedroom. I think I kept them under the mattress, sir.

THE COMMISSIONER: Under the mattress?

A. I believe that is where I kept the bonds, sir.

MR. WILSON: Where - where did this accumulation come from? Your work as a taxi driver?

A. Yes, I worked as a taxi driver. I worked - I worked as a butcher around Toronto. I worked --

Q. Well, when did you start to work?

A. When I first started to work?

Q. Surely, you had a normal childhood from 1900 to 1920, is that what you mean by unusualness?

A. I might have, sir. I do not remember, sir. Into one I do remember coming home from school and, connecting the dots, pulling the cat's tail.

THE CHAIRMAN: And what did you do with his mouse?

A. I had it in the house.

THE CHAIRMAN: Would that be factual too, Longworth?

Q. Yes, sir. Does Darwin ever accompany?

THE PRESIDENT: Does it you say the [illegible]?

A. I may take in the lower class.

THE CHAIRMAN: Having the [illegible]?

A. No, I believe I kept him inside in my bedroom. I think I have [illegible] medicine, sir.

THE CHAIRMAN: Have you [illegible]?

A. I believe that is where I kept the [illegible].

Mr. COLLINS: Have you ever had communication come from? That work as a [illegible] review?

A. Yes, I worked as a [illegible] driver. I worked - I worked as a butcher around Dunmore. I worked --

Q. Well, when did you start to work?

A. When I first started to work?

Q. Yes.

A. Twelve years old, sir, I first started to work.

Q. You were 12 years old?

A. Yes, part-time.

Q. And when did you get full time? How old were you?

A. Twelve years old, in the summer time.

Q. Well, full time, I mean a full twelve months in the year, when did you first start to work? When did you finish school?

A. I believe about 1950, or 1951. In there somewhere.

Q. And it was then, at that time, when you left school, did you have any moneys accumulated, or any bonds or anything?

A. No, I don't think I had any bonds. I didn't have any bonds when I left school.

Q. Did you have any money?

A. Yes, I had money.

Q. How much money did you have when you left school?

A. When I left school?

Q. Mm-hmm.

A. Well, I would say I probably had $1,200.00, $1,300.00.

Q. When you left school you would be about 19 years old?

A. Yes, sir.

Q. Yes.

Q. Before you left, was I from started to work.

Q. You were 32 years old?

A. Yes, sir.

Q. And you had lived all your life in the same place?

A. Living around old, in the neighborhood.

Q. Well, full time, I mean a full twelve months in the year, when did you first start to work? When did you finish school?

A. I believed about 1940, or 1941, in their sophomore.

Q. And it was then, at that time, when you left school, did you have any certain occupation, or any labor or anything?

A. No, I didn't since I had my boards. I didn't have any boards when I left school.

Q. Did you have any money?

A. Yes, I had money.

Q. How much money did you have when you left school?

A. When I left school?

Q. Yes.

A. Well, I would say I probably had $ [illegible].

Q. When you left school you would be about 18 years old?

A. Yes, sir.

Q. And was this money--

THE COMMISSIONER: Just a moment. And you already had $1,200.00?

A. Around that, sir. I am not -- maybe a thousand, maybe twelve hundred. As a matter of fact I used to get a - I never paid any room and board any time I was in school. I was not required to. My parents didn't ask me to.

THE COMMISSIONER: Well, that is not unusual.

A. And I used to pedal a bicycle, and I used to get paid by my grandfather $10.00 a week to pedal the bicycle after school, and this is when I am 12 years old, sir, and he used to give me an allowance of a dollar a week, and he used to give me money to go to a show, and I never went to many shows, and I never did much when I was 12 years old, except play around with my fish, and that is how I accumulated the money.

MR. WILSON: Well, now --

THE COMMISSIONER: And where did you have that money?

A. Well, this would be money that was in the house.

THE COMMISSIONER: Well, when did you first open a bank account?

A. I had a bank account when I went to school, and I don't remember whether I was going to public school or high school when I first

Q. And was this money—

THE COMMISSIONER: Just a moment, and you already had [illegible]?

A. Beyond that, why, I've had—[illegible] a [illegible], many times [illegible]. As a matter of fact I used to get a - I never paid any rent and heard any time I was in school. I was not insured to. My parents didn't pay me.

THE COMMISSIONER: Well, that is not material.

A. And I went to school a [illegible], and I had to get [illegible] by my [illegible] [illegible] work to pay the bicycle after school, and that is mean I am 14 years old, sir, and is used to give me an allowance of a dollar a week, and he used to give me twenty to go to a show, and I never work to earn shows, and I never did work some I was 12 years old, [illegible] [illegible] up Kiln, and that is how I accumulated the money.

Mr. [illegible]: Why, [illegible]—

THE COMMISSIONER: And where did you have that money?

A. Well, this would be money that was in the house.

THE COMMISSIONER: Well, many its you have been [illegible] a bank account?

A. I had a bank account when I went to school, and I don't remember whether I was going to public school or high school when I first

started, because the drug store was right near the corner, and my grandfather - in fact I believe he may have gone down and put some money in for me.

MR. WILSON: Maybe during the noon adjournment you could get a little more information about your bank accounts, because I suggest to you you did have a bank account in 1953; and what did you buy in the way of a car in 1953?

A. In 1953?

Q. Yes. Was it a Studebaker?

A. Yes, I believe -- yes.

Q. Yes.

A. Yes.

Q. And how much did you pay for it?

A. I am only guessing, but I would say around maybe about seventeen hundred.

Q. Yes, and did you borrow money in order to buy that car?

A. I financed the car, sir.

Q. Why, if you had all this money stashed away in the house?

A. Well, sir, I didn't have that much money at all when I got the car. I figured if it broke down, I would be able to repair it, and I have seen other people, and my brother, driving around, and didn't know where a dime was coming from for gas, and I had a steady job and income coming in.

started, because the thing seemed was right near the corner, and my recollection - in fact I believe he may have gone down and just come round in the car.

Q. Didn't then during the conversation you could get a little more information about that car, anyway, because I suppose to you you did have a bank account in Lodz and what did you buy in the way of a car in 1939?

A. In 1939?

Q. Yes. You is a businessman?

A. Then I believe -- yes.

Q. Yes.

A. Yes.

Q. And how much did you pay for it?

A. I am only guessing, but I would say around eight thousand zlotys.

Q. Yes, and did you borrow money in order to buy that car?

A. I financed the car, sir.

Q. Why, if you had all that money invested away in the house?

A. Well, sir, I didn't have that much money as all when I got that car. I financed it it seems down, I would be glad to repeat it, and I have some other money, and at Katowice, sir, the account, and didn't know where a close was coming from for me, and I had a strong job and income coming in.

Q. Did you pay any cash at the time at all? At the time you purchased the Studebaker in 1953?

A. -- I would have put a down payment on it, sir. Yes, I don't know how much.

THE COMMISSIONER: Where did you buy it?

A. Oh, let's see. They are out of business now. I am trying to think of the name of it. It is a car lot on the corner of Kennedy Road, and it would be Kennedy Road and Eglinton. It would be a car lot on that corner. That is where I had bought it.

MR. WILSON: Now, in 1953, what was your salary as a provincial constable?

A. Oh --

Q. Well, I suggest to you for the ten months that you were on the force that year you got a $1,737.16, would that be right?

THE COMMISSIONER: How much?

MR. WILSON: $1,737.16.

A. As salary, I would say that would probably be right. It was quite low, and I didn't work for the whole year, unless I worked under cover that year. I may have made two or three hundred dollars extra under cover. I don't know.

MR. WILSON: Well, Mr. Commissioner, it is 1:00 o'clock.

THE COMMISSIONER: Yes.

---Whereupon the hearing adjourned at 1:05 p.m.

ge 5430
llows.

Q. Did you ever get paid by the time in 1917? At that time you [illegible] the [illegible] [illegible] in 1917?

A. -- I would have put a down payment on it, sir. Then, I don't know how much.

THE CHAIRMAN: Have you the [illegible]

(?)

A. Oh, let's see. They are out of [illegible] now. I am trying to think of how much of it. It is a car lot on the corner of Kennedy Road, and it would be Kennedy Road and [illegible]. It would be a corner lot on that corner. That is where I had bought it.

MR. [illegible]: Now, in 1923, what was your income as a [illegible] [illegible]?

A. Oh --

Q. Well, I suppose to put the [illegible] can produce that you were on the [illegible] that year you got ([illegible]) would that be right?

THE CHAIRMAN: [illegible]

MR. [illegible]: [illegible]

A. No matter, I would say that [illegible] [illegible] in right. It was quite low, and I didn't pay the [illegible] [illegible] I [illegible] [illegible] that year. I may have made [illegible] [illegible] [illegible] [illegible] I don't know.

MR. [illegible]: Well, Mr. Chairman, it is 1:00 o'clock.

THE CHAIRMAN: Yes.

---Upon resuming at 2:17 p.m.

---The witness resumes.

MR. WILSON: Q. Did you find anything more about your bank account?

A. Yes, sir. I found that the bank manager was out. I was talking to one of the clerks. I had an account there in 1953. I also asked them to check for an account before; I had an account there before and I closed it an reopened it again in 1953. They said they wouldn't know until tomorrow, they have to check their records.

Q. You are speaking of the Bank of Nova Scotia?

A. Yes, sir.

Q. At what location?

A. Broadview and Gerrard.

Q. So, that in that year you closed the account and then reopened it?

A. I think I closed it prior to 1953. I just don't know when I did close it.

Q. You reopened it in 1953?

A. Yes.

Q. What were you being paid as a member of the Force in the years 1952 through to 1960? Maybe this list here -- look at this list from the accountant showing the net salaries received by Constable Robert James Wright for the period March 10, 1953, to May 31,

1960. It shows that during that period you received, net, $18,209.25.

THE COMMISSIONER: How much?

MR. WILSON: $18,209.25.

Q. The average net over thos years '54 through to '59, would be, oh, around 2500 to $2,550.00?

A. Yes, sir I had totalled them for my income for my lawyer, and added all my pay slips up and I have the last figures here from my pay slips.

Q. Would you have any question about the accuracy of this statement prepared by the accountant?

A. I see March 10th to December 31, 1953, my net pay was 1,837.62, and they get 1,737.16. I worked undercover that year and had a net gross --- If you work undercover you are allowed to keep that salary you earned aside from your police sklary, you get both.

Q. Take the year 1953, what do you say you received rather than 1,737?

A. 1,837.62.

Q. What do you say your net for 1954 was?

A. 2,398.21.

Q. Well, we are within a few cents there. What do you say your net was for the year ending December 31, 1955?

A. 2,480.39. There is five cents error there or difference.

[447]. Is prince that having from payment you received, you, [41,]by 20.

[44] Chairman: The money

[48]. Witness: $14,[illegible].

Q. The money was over when you

[illegible] in [illegible], by which time

to [illegible]

A. Yes, sir I had borrowed them

for my income for my lawyer, and added all my

my alimony up and I have the last [illegible] been

been in my state.

Q. Then you have my question since

the monthly of life-insurance payment by

the commission?

A. I was never late to December 31,

1953, my net pay was 1,[illegible], and they got

1,727.16. I received underpayment that year and

had a red price — if you work underpayment you

are allowed to keep what money you earned

aside from your regular salary, you get both.

Q. Then the year 1953, what do you

say for overpaid period from 1,[illegible]

A. 1,[illegible].

Q. What do you say your net for

from away

A. [illegible].

Q. Well, we are within a low range

Chairman. Had he pay-in-pay and see for the

year ending December 31, 1[illegible]

A. [illegible]. There is five months

THE COMMISSIONER: I haven't got those down. Start with 1953.

MR. WILSON: I will give the figures from the accountant's statement. 1953, is 1,737.16.

THE COMMISSIONER: What does the witness say he earned?

A. 1,837.62, plus 316.66.

Q. Give me those figures again. Give me thos figures again, please.

A. 1,832 --- $1,837.62.

Q. That is your salary, is it?

A. Yes. My undercover was 316.66. Plus clothing allowance of $50.00.

THE COMMISSIONER: Just a moment.

Q. That is '54, was it?

A. '53, sir.

Q. '53, 1,837.62, plus 316.66.

All right. In 1954, according to the accountant.

MR. WILSON: 2,397.37.

THE COMMISSIONER: Which, as a matter of fact, you have, witness.

A. $2,398.12, plus 375.64.

Q. What does that represent?

A. That is undercover money. Plus $75.00, clothing allowance.

THE COMMISSIONER: 1955?

MR. WILSON: $2,480.34.

THE COMMISSIONER: What do you say, witness?

A. $2,480.39.

Q. Yes.

A. Plus 118.75, clothing allowance.

THE COMMISSIONER: Yes. '56?

MR. WILSON: $2,455.15.

THE COMMISSIONER: Witness?

A. 2,405.70.

Q. Anything else that year?

A. No undercover. $150.00, clothing allowance.

THE COMMISSIONER: All right. '57?

MR. WILSON: $2,424.15.

THE COMMISSIONER: A little less than the year before.

MR. WILSON: Yes.

Q. What do you say, witness?

A. $2,430.15, plus 310 --- no. This would be 285.01, undercover. That would be net -- or gross. Net, yes.

Q. 285, what?

A. .01. And $150.00, clothing allowance.

THE COMMISSIONER: Yes. '58?

MR. WILSON: 2,460.44.

THE COMMISSIONER: Witness?

A. I have the same thing, $2,460.44, plus $150.00, clothing allowance.

THE COMMISSIONER: Yes. '59?

MR. WILSON: 2,972.44.

THE COMMISSIONER: Witness?

A. 2,972.44, plus $150.00, clothing allowance.

THE COMMISSIONER: 1960?

MR. WILSON: Up to May 31, 1960, $1,282.40.

THE COMMISSIONER: Yes. Witness?

A. I have the same thing, $1,282.40, plus $6.25, clothing allowance.

THE COMMISSIONER: All right.

MR. WILSON: Q. Now, you say you prepared those for your lawyer for what purpose?

A. He was just --- He asked me to prepare such a list.

Q. This was in connection with your trial?

A. Yes, in 1961. Yes.

Q. Now, in 1953, you bought a '51 Studebaker for $1,700.00?

A. Yes, around seventeen. I'm not sure exactly but I think it was around $1,700.00.

Q. And you made a down payment of $575.00?

THE COMMISSIONER: 1700 and what?

MR. WILSON: $1,700.00, even, and a down payment of 575.

THE WITNESS: Yes. I made a down payment, I don't know exactly how much but it was around there. Yes.

Q. You financed the balance of 1,125, through the Industrial Acceptance

Corporation?

A. Yes, I did finance through Industrial Acceptance Corporation.

Q. And the payments under that arrangement were $78.00, a month?

A. Yes, somewhere around there. Yes, sir. I think they were $78.00, a month.

Q. Is this a copy of your statemt, or the statement of Industrial Acceptance Corporation?

A. I don't know whether --- Yes, it looks like it is. I never did see a statement from them, sir.

Q. This shows regular payments of $78.00, a month down to August of 1954 --- I am sorry, down to June of 1954, when there was a payment of only $50.00. Then, the July payment is $78.00; August 20th '54, of $90.00. On September 15th 1954, a balance of $475.75. And what happened to that, did you pay it off at that time?

THE COMMISSIONER: The balance was how much, Mr. Wilson?

MR. WILSON: 475.75.

THE WITNESS: I don't know whether I paid it off or not, sir. Just let me have a few minutes. I believe I bought another car in 1954, a car two years younger, newer.

MR. WILSON: Q. You paid off this balance of 475.75, in September of 1954?

A. I think what happened there, sir, I got this second car, I traded this '51 in on a 1953, and they took the equity and applied it as down payment on the second car. The equity was in the car and I believe they paid the $475.00, off.

Q. Anyway it was cleared off as part of the deal in regard to the new purchase, was it not?

A. Yes, I think it was. Yes.

Q. The 20th of October, 1954, you bought a 1953 Studebaker, hardtop?

A. That is right, yes.

Q. And the sale price of that one was $2,795.00.

THE COMMISSIONER: 2,795?

MR. WILSON: 2,795.

THE WITNESS: Yes, I believe it was.

MR. WILSON: Q. And you paid cash in the amount of $950.34?

A. That was the equity from the car.

Q. That was the equity from the car?

A. This was all done through the company where I bought the car from. That was the equity in the car, that is the '51, which they put into the '53.

Q. And then you financed the balance of 1,844.66, again through the Industrial Acceptance Corporation?

A. Yes, I financed that again. Yes,sir.

A. I think about September twenty, I got this second car, I bought this 72 on a 1913, and they took the equity and applied it on down payment on the second car. The equity was in the car and I believe they paid the $1175.00, cash.

Q. Anyway it was cleared off on part of the deal in regard to the new purchase, was it not?

A. Yes, I owed it not. Yes.

Q. The book is correct, $175, was taken a true transaction, is it?

A. That is right, yes.

Q. And the same price of trade was $2,375.00.

[illegible] $1,200

[illegible] $1,175.

Yes Mr. [illegible]: Yes, I believe it was.

Mr. [illegible]: Q. And you paid cash for the second of $1175.00?

A. That was the equity from the car.

Q. That was the equity from the car?

A. Yes.

Q. And then you [illegible] the equity in the car, that is the '13, which they got back the '72.

Q. And then you [illegible] the balance of $1200.00, cash [illegible] transaction [illegible]?

A. Yes, I [illegible] and [illegible]

Q. And the payments under that loan arrangment were $80.00, a month?

A. Yes, they were, I believe. Yes, sir, they were $80.00, a month.

Q. And you paid that off regularly month by month until the balance was paid off on March 22, 1957; isn't that correct?

A. Yes, I did.

Q. Now, in 1954, you also got a personal loan from the Household Finance Corporation for $56.00, on May 31st for the purpose of paying a dentist's bill?

A. What year is this now, sir?

Q. 1954.

A. Yes, I used to borrow from the Household Finance Company. Yes, sir. Would you tell me what office this would be off hand?

THE COMMISSIONER: It doesn't matter what office it was. You borrowed $56.00, to pay a dental bill; is that right?

A. I don't know if I borrowed it for a dentist bill. If you have a record I must have borrowed it. Yes, sir.

MR. WILSON: Q. It says for a dentist's bill. And the schedule of payment was $18.00, a month.

A. Is that the amount I borrowed there?

Q. That would include interest and the charges.

THE COMMISSIONER: How much altogether?

MR. WILSON: 100.83.

THE COMMISSIONER: I thought you said $50.00?

MR. WILSON: That was the total amount he borrowed, $100.83.

Q. Then, in 1955, 1955, you made another loan, did you not, to cover a dentist's bill?

THE COMMISSIONER: How much?

MR. WILSON: of $80.00.

THE COMMISSIONER: But the loan?

MR. WILSON: The loan appears to be $115.75.

THE COMMISSIONER: The dental bill was how much?

MR. WILSON: 1955.

THE WITNESS: I could have, I used to borrow from the finance company often.

THE COMMISSIONER: The dental bill was how much?

MR. WILSON: This was for the dentist's bill.

THE COMMISSIONER: How much was the dental bill?

MR. WILSON: $80.00.

Q. Now, Mr. Carthy tells me there was a further borrowing in 1954, for a dentist's bill of $126.90?

A. That could have been, sir.

THE COMMISSIONER: From Industrial?

MR. WILSON: That again was from the Household Finance. The two in 1954, were from the Household Finance and the one in 1955, was from the Household Finance.

Q. Then, in 1956, in 1956, did you make a further borrowing to pay Lebo Brothers, and Simpson's for clothing accounts?

A. I could have, but not for that purpose. They asked me, they said they always had to have a purpose down there. I know the manager where I borrowed the money, said you had to have a purpose down there, and we arrived at the purpose.

Q. What was the real purpose?

A. All of these I couldn't exactly say. I recall one time this girl I used to go with I more or less backed a loan. That is why I asked what office it would be.

Q. We are talking about a loan where it appears on the card, "Use of borrowed money? Paying clothing accounts, $205.59.

A. That could be. I don't wantto swear to it. That could be the one where I backed the loan. In fact, I think the loan was in my name and she paid it off, or made the payments.

Q. You say this was some friend of yours you were backing and the loan was in your name but she made the payments?

A. If I know what office it was I would know better, sir.

Q. This is in 1956, did you buy an RCA 21 inch television?

A. 1956?

Q. From the Riverdale Record Bar.

A. Yes, I believe I did. This was this girl here I used to go with.

THE COMMISSIONER: What?

A. I said this was for this girl I used to go with.

Q. You bought it?

A. I would say we bought it jointly, she would pay for some of it and I would pay off some of it. That is how we worked it.

MR. WILSON: Q. That was for $224.00.

THE COMMISSIONER: Was that financed?

MR. WILSON: Financed through the Industrial Acceptance. And the instalment payments there were $18.00, a month.

A. Yes, that could be right. I recall us buying a TV set.

Q. In 1957, did you by some furniture and finance the purchase of the furniture?

A. In 1957?

Q. That is right. And the address you gave in that case was Robert J. Wright, 1 Sprout Avenue in Toronto?

A. That is correct. This was this girl I used to go with. She had an apartment there.

Q. And you were buying this furniture?

A. I bought it -- We bought it jointly. In fact --- Yes, we bought it jointly. I was going to say some things she bought outright and some things I bought outright, and some we bought together.

Q. The total was 458.15.

THE COMMISSIONER: 458?

MR. WILSON: 458.15.

THE WITNESS: I don't know the figure exactly, it could have been. I think it was one of those deal you get two or three rooms of furniture.

MR. WILSON: Q. You paid that off at the rate of $25.00 ---

A. Between her and I. In fact --- Excuse me, sir, let me explain something here. That would be in 1957, you say?

Q. Yes.

A. What month was it I bought that furniture?

Q. What month?

A. Yes.

Q. The first payment is dated the 30th of January, 1957, and the first payment was March 20th 1957.

A. That is right. That is correct. That is what I want to explain. That furniture went to my brother that same year.

Q. Well, you took it away from 1 Sproat

Avenue later on, didn't you?

A. That is right.

Q. You had a falling out with your friend?

A. Yes.

THE COMMISSIONER: With the girl?

A. With the girl, yes.

MR. WILSON: Q. So, then, you removed the furniture from 1 Sproate Avenue and took it to your brother's?

A. Yes. And he took over the payments.

Q. You say he took over the payment?

A. That is correct, sir.

Q. What date did it go to your brother's place?

A. I am only guessing but I think it was in the summertime sometime,either late summer or maybe early fall. I'm not exactly sure, it may have been the spring. I am just guessing.

Q. Was the finance company notified of the change of address of the furniture when the furniture was removed?

A. I don't know whether they were or not, sir.

Q. I notice on this duplicate of the account that there is anotation, "86 Riverdale Avenue, Toronto, December, '57", what would that indicate?

A. Oh, I gave the address as the furniture there, but when the furniture was out

of there I gave my address at home, 86 Riverdale Avenue.

Q. The furniture was at this address, 1 Sprout Avenue up to what time?

A. I believe in the summer sometime, sir, I don't know when.

Q. I notice under December, 1957, there is a notation here of tracing.

A. I don't know what that means.

Q. It would not mean they were trying to trace where the furniture had gone?

A. No, the payments were kept up regularly.

Q. The payments were not kept on regularly. Where do you find a payment in December of 1957, where you see the word "Tracing"?

A. I don't see a record of payment. As I say my brother was looking after that himself. I don't conduct his financial powers.

THE COMMISSIONER: The furniture went to your brother's place?

A. Yes. And my address was 86 Riverdale Avenue.

Q. And you showed the finance company your own address as though the furniture went there?

A. No, the reason I --- In fact, I told the furniture company, I believe, that I was moving, that I would at 86 Riverdale Avenue but the furniture had been moved.

Q. That is not as I understand it at the moment. When it was taken from 1 Sproat Avenue it was taken to your brother's home?

A. At 117 Goodrham Drive.

THE COMMISSIONER: When does the record show the finance company had understood it had gone to his place?

MR. WILSON: It isn't clear from this card, Mr. Commissioner. It is quite obvious there was no payment made in December, 1957, that they were tracing. We could get further facts about it. This witness can't recall.

THE COMMISSIONER: 86 Riverdale was that your address?

A. That is where I was living, sir, yes.

THE COMMISSIONER: All right.

MR. WILSON: Q. Who moved the furniture?

A. I moved it myself, I believe, sir. In fact, I think I did move it myself, yes.

Q. In September of 1957, did you buy from the T. Eaton Company Limited a Mozart piano for a total cost of $662?

A. Yes, I bought a piano from the T. Eaton Company a few years ago.

Q. And the price stated, was that the correct one?

A. I think it was. I don't recall exactly what it was. I paid it off, though, to the

the T. Eaton Company.

Q. How did you buy that, on time?

A. Yes.

Q. This may help you.

A. Yeah. Well, if this is what they say that is what I paid for it. Yes, sir.

Q. How did you pay it, so much a month or on what basis?

THE COMMISSIONER: Did you pay any cash payment down? Let me see that.

A. I don't recall whether I paid any cash down. I know I financed it.

MR. WILSON: Q. Did you examine the statement? That is why I gave it to you.

THE COMMISSIONER: You look at it.

THE WITNESS: I don't understand this, sir. I used to pay so much a month off on it.

MR. WILSON: Q. How much a month did you pay?

A. That is something I don't know.

Q. How long did it tak you to pay off the piano?

A. Oh, I would say it took me about a year and a half to, maybe.

Q. About a year and a half?

A. Maybe more than that, sir.

Q. By the way, how much did that girl pay on account of that furniture at 1 Sprout?

A. How much did she pay on account?

Q. Yes. You say the two of you were paying for it, for that furniture. How much would she pay?

A. She would have apid up until the time I moved it out.

Q. All of it?

A. No, we were paying half and half.

Q. Half and half. And then is she still around?

A. I think so. I don't know, sir, I don't keep in contact with her.

Q. In other words, we can check with her about the matter?

A. Oh, yes. I think so, sir.

THE COMMISSIONER: Do you want to write her name down?

MR. WILSON: Yes, I think if the witness would write her name down.

THE COMMISSIONER: Write her name and address on there.

THE WITNESS: I dont know her address.

THE COMMISSIONER: Write her name.

MR. WILSON: k Q. Now, did you ---

THE COMMISSIONER: Just a moment. The address was 1 Sprost before, that is where the furniture was?

A. That was in 1956, '57. I don't know where she is now, sir.

MR. WILSON: Q. When you took the furniture out of 1 Sprost Avenue did you reimburse her for

what she had paid?

A. I don't think I did. I don't think I did.

Q. Now, you bought a cabin in 1958. Where was that located?

A. At Wasaga Beach.

Q. And you bought that from the Olis estate?

A. Oh, wait a minute, now. What year are you referring to again, sir?

THE COMMISSIONER: What year did you buy the cabin?

A. Well, if -- this was a shack, it went with some land. I did buy another cabin.

Q. Tell us about the shack and the land first.

A. The shack and the land ---

Q. Was that at Wasaga?

A. No, that was in the District of Parry Sound.

MR. WILSON: Q. And who did you buy that from?

A. That is what I bought from the Olis estate.

THE COMMISSIONER: When?

MR. WILSON: Q. Maybe I can assist. I have a statement of adjustments of accounts, December 1, 1958.

A. That is when the purchase went through.

Q. And what was the price?

A. $1,300.00, I believe.

Q. Yes. And you made a deposit of $200.00, and paid the balance of the purchase price on closing?

A. Yes.

Q. That cost you 1300. Now, you wanted to mention a cabin. Tell us about that.

A. This is a little cabin 10 x 12, that was -- that this fellow up at Wasaga Beach, he had cabins, this fellow I had known for several years, had this cabin with the plumbing and Ten/Test --

THE COMMISSIONER: Never mind the details. How much did you pay for it?

A. -- $300.00.

MR. WILSON: Q. When did you buy that?

A. The same year. In fact, my wife paid for that cabin.

Q. Now, when did you buy 117 Gooderham Avenue?

A. 117 Gooderham Avenue, it would be June of 1956.

Q. And how much did you pay for that?

A. It was around between 750 and $800.00.

THE COMMISSIONER: You mean down payment?

A. Yes, sir.

Q. Down payment?

A. Yes, sir.

Q. What is thetotal purchaseprice?

A. There was no purchase price at the time, sir, at all. This was my brother's home and he was going to move to the United States. In fact, he went down there for a trip. He asked me if I would take it. It had a basement apartment in it and he said,"You probably can make some money out of renting the upstairs and downstairs." What happened at that time, he had 750 or $800.00, into it and that is what I paid him for that.

Q. What is your brother's name?

A. Edward, Edward WRight.

MR. WILSON: Q. How much was the amount of the mortgage ---

THE COMMISSIONER: Just a moment. How much did you pay for his equity?

A. Between 750 and $800.00.

Q. Mr. Wilson asked you what the mortgage was.

A. There were two mortgages at that time. I am only guessing, I think it was around eight or $9,000.00.

Q. The two of them together?

A. Yes, it may have been tenthousand, I'm not sure.

MR. WILSON: Q. Now, this photostat of the deed from your brother and his wife to yourself, dated the 28th of May, 1956, and which

was registered in book for the Township of Scarborough on the 4th of June, 1956, as 177910, and this shows under the affidavit under the Land Transfer Tax Act there is a total consideration of $9,290.00.

THE COMMISSIONER: 9,000?

MR. WILSON: $9,290.00, made up of a down payment of 690, and encumberances of $8,600.00.

Q. Now, when you bought that property from your brother was there not a basement apartment in that building?

A. Yes, there was, sir.

Q. Did you spend some money on it fixing it up?

A. Not at that time, sir.

Q. Later?

A. Yes, I built some cupboards because I moved in there when I got married.

Q. How much did you spend on fixing it up?

A. I am just guessing, I would say two or three hundred dollars.

Q. Is that all?

A. For lumber and paint and --- I don't know exactly how much, sir. The apartment was already there. He had it rented out and when I took it over I got the rents from the downstairs and upstairs.

Q. How do you account for the fact there was no mortgage registered against that property when you bought it?

A. There was no mortgage registered against it?

Q. Yes.

A. There was no mortgage registered against it. I don't understand you because there was a mortgage on it. There was a first and second mortgage on it.

Q. Well, I have been advised there was no mortgage registered against it at the time you bought it.

A. Well, my brother paid and I paid to the collector, the person who holds the mortgage. We were paying $80.00, a month.

Q. You assumed the payments on the mortgage and paid how much a month after you purchased this property in May of 1956, $80.00, a month?

A. I paid $80.00, a month. Yes, sir. I paid that to a Mr. Graham on Danforth Avenue, either to him or his secretary.

Q. And what was the history of that particular property?

A. The history

Q. Yes. Did you keep on paying through that time $80.00, a month?

A. Up until 1958.

Q. What happened in 1958?

A. My brother took it back over again and took over the payments, made the payments and assumed the mortgage and all expenses of it.

Q. What date in 1958, did he do that?

A. The first of January. I was going to get married and I didn't want to bother with the house.

Q. Do I understand, then, your investment in that house was 690, the down payment for the property, and $80.00, from May of 1956, to the end of 1957?

THE COMMISSIONER: Principal and interest?

MR. WILSON: I don't know.

Q. What were those arrangements?

A. That was altogether. When you paid the $80.00, they took the interest twice a year and just added it onto the mortgage.

Q. Well, at that time, the 1st of January, 1958, your brother took over your position?

A. That is correct, sir.

Q. Did you reconvey to him -- did you give him a deed at that time?

A. No, I didn't, sir. I held onto the deed owing to the fact the moneyH had put into the house he was going to pay me back for it.

Q. You still hold the deed?

A. No, sir, my brother does.

Q. When did you give it to him?

A. The day of my conviction, when I was convicted for obtaining information from Scott. Not that day but around that time.

Q. Have you ever reconveyed the property to your brother?

A. qt Yes.

Q. As of the date of your conviction?

A. Yes, I couldn't get bail to get out, and the money that was owing had been paid off, most of it. My living downstairs ran from, from 1958 until my transfer to Bellville.

Q. Your brother never paid you back any of the money you put into the house?

A. No, because $50.00, a month while I was living there was applied to the money he owed me.

Q. You say from the 1st of January, 1958, you lived there rent free?

A. Yes, sir.

Q. Until the end of 1959?

A. To February -- Excuse me, when I was renting there, yes. I paid $20.00, a month to him, $20.00, or $25.00, a month to him to defray the expense of the hydro, like, we split the hydro.

Q. Did you pay the taxes?

A. Up until --- When I had it, yes, sir.

Q. After the 1st of January, 1958, did you pay the taxes?

A. I could have paid them for him, just the same as I paid the mortgage for him at times. It was a convenience to him I paid them. I paid the taxes in 1957, I believe, and 1956.

Q. Roughly you had put in, oh, roughly about $2,200.00, into that property, when you consider the 690, plus the year and a half at $80.00, a month. And then you say he got credit of $50.00, a month for a period of two years, which would be $1,200.00. That didn't involve, of course, any payments moving from you to your brother?

A. It would be $2,130.00, that I had put in the house. Yes, sir.

Q. That is not for ---

A. Every dollar I put in the house, he wanted to be fair. That included that I paid for the taxes, there is the taxes on top of that. I just don't recall what they were.

Q. They were about $218.00, a year at that time?

A. Yes, around that.

Q. Maybe your total investment in that place was more like 2500?

A. Roughly.

Q. And crediting him at the rate of $50.00, a month for two years would be $1,200.00?

A. Yes.

Q. You are telling us your brother still owes you approximately $1,300.00, is that so?

A. Just a minute. I am still living there. I will be living there until we are paid off.

Q. Yes, I see.

A. That is the arrangement my brother and I came to.

THE COMMISSIONER: When did you get married?

A. March of 1958.

MR. WILSON: Q. That $690.00, you paid you paid 640 of it in cash and $50.00, by a Savings Bond, serial number S9U547839. Where did you get that Savings Bond?

A. I would think I bought it, sir. I don't recall it now. I would have bought it, you can't get it anywhere else.

Q. Well, did you? Any bonds you bought would be bought in what way through the bank?

A. No, the bonds I bought I bought through the payroll savings.

Q. All of them?

A. From the time I was on the force, yes, sir.

Q. Well, you didn't have any Savings Bonds at the time you m joined the force, did

you?

A. When I worked at the Post Office for over a year I bought bonds then. Maybe I cashed them and took the cash. I don't know what I did because I left the Post Office before the bonds were completely paid up.

(Page 5461 follows)

MR W J R

MR. WILSON: Q. Now, all these other bonds of yours have been traced as being registered at the Bank of Canada. Can you tell me why this one of fifty dollars was not registered at the Bank of Canada?

A. I can't think of any reason, sir.

Q. And then the payments you made to Scott. Now, the first payment you made to Scott was four hundred dollars on February 29th, 1960. I think by looking at your diary you can tell me what the serial numbers were on the four one-hundred dollar bills you handed to him at that time. Have you got your diary?

---Registrar hands diary to witness.

A. BJ 0837793; BJ 4474720.

THE COMMISSIONER: Q. 447 - what was the rest of it?

A. BJ 4474720.

Q. Yes.

A. BJ 4516641.

Q. Yes.

A. And BJ 5022427.

MR. WILSON: Q. Now, on March 29th you paid Scott another two hundred dollars. Tell us what the serial numbers were on those two?

A. AJ 0556945; AJ 1227627.

Q. On April 27th you paid Scott another four hundred dollars. Tell us what the serial numbers were on those?

A. I haven't got those serial numbers of those. That's when -- As a matter of fact, I had this money all in a -- At home with some other money I saved, and everytime I came to Toronto to pay Scott some money I would take money out of this other money; and when I got back into Belleville I would check it off against the serial numbers; and at one time I got back and I realized I had given him this money other than what I had saved -- Out of what I had saved. I gave him the wrong bills of what I had out of this group here.

Q. When you say you gave him the wrong bills, what you are trying to say is the four hundred dollars you gave him on April 27th, 1960, we won't find those as any of the bills listed at page five of your diary and being the proceeds of the savings bonds?

A. No, sir.

Q. They came from some other source?

A. They came from this money I saved. I had it all together, this money I saved, from the bank. I had it all in the same billfold.

Q. All in the same billfold?

A. Yes, sir.

Q. How much did you carry around from day to day in your billfold?

A. This would be a_t home. Every time I left to come to Toronto to pay Scott some money I would take four hundred dollars out of

this wallet, and when I gave it to Scott and when I came back I compared it with the numbers on the -- The numbers I had left. I noticed on one occasion I had given him four hundred dollars of the other money.

Q. What became of the fifteen hundred dollars represented by the cashing-in of the savings bonds?

A. The balance?

Q. Yes? You only paid him out of those bills which you have enumerated and given the serial numbers; you only gave him six of these one hundred dollar bills. There are another nine to be accounted for?

THE COMMISSIONER: I do not quite follow that - did he sell fifteen hundred dollars worth of bonds?

MR. WILSON: That is right.

THE COMMISSIONER: When?

MR. WILSON: The transaction which took place February 16th, 1960, referred to on page 4 of the Wright diary - Exhibit 157.

THE COMMISSIONER: Let me see Exhibit 157.

---Registrar hands Exhibit 157 to the Commissioner.

THE COMMISSIONER: Q. When did you cash those bonds? Where?

A. At the Bank of Nova Scotia, Broadview and Gerrard.

Q. When?

A. February 15th, 1960.

Q. How much did you receive?

A. Fifteen hundred dollars plus the coupons that would be on the bonds. I don't know what that totals now, sir.

Q. Were they bearer bonds?

A. Bonds you buy from the Government. You get coupons with them and get interest each year from what they call gumranteed Canada Savings Bonds.

Q. All right.

MR. WILSON: Q. Where did you keep this money at Belleville for safe-keeping? Where did you hide it there?

A. The money?

Q. Yes?

A. I used to keep it in an old coat hanging in a closet.

Q. What would be the biggest amount you would ever have in the old coat?

A. I believe the biggest — After I cashed these bonds I think I had about twenty-seven hundred dollars.

Q. That would be fifteen hundred you got from these bonds - or did you cash more bonds?

THE COMMISSIONER: Q. Were those the only bonds you had - fifteen hundred dollars worth - that you cashed?

A. No, I had more bonds than that. I had another five hundred, I believe; two thousand

or twenty-one hundred dollars worth of bonds, I believe.

Q. Twenty-one hundred?

A. I add up here $2,134.00, but I believe some of that will be for some money I went out to buy them with.

Q. Approximately twenty-one hundred dollars?

A. Yes.

MR. WILSON: Q. As a matter of fact, from 1956 through to 1959 you bought twenty-seven hundred dollars worth of bonds that were registered in your name?

A. 1956 to -- ?

Q. To 1959?

A. To 1959?

Q. Yes?

A. That would be the two thousand dollars.

Q. I said twenty-seven hundred?

A. I'm not counting 1960, sir.

Q. I am not, either.

A. Well, I get $2,091.34. I could have made a mistake but I thought this was correct.

Q. Now, you had some difficulties with your income tax returns, didn't you, with the income tax authorities?

A. Not any difficulty - it hasn't been straightened out. It's before the Appeal Board right now. F.C. Scott said I had thousands and

thousands of dollars and they came down and assessed me on 1956, 1957, 1958, 1959.

Q. How much did they re-assess you over and above for these years you have declared?

A. I don't recall the exact figures.

Q. Yes, you recall the approximate amount?

A. They're higher.

Q. How much higher?

A. Well --

Q. You are under oath and you say you have an appeal pending?

A. Yes, I have.

Q. You remember the facts of the appeal?

A. No, because this hasn't been straightened out.

Q. Well --

THE COMMISSIONER: Q. How much did they re-assess you? They re-assessed you a certain amount and you appealed against that. How much was it?

A. I haven't got the figures.

MR. WILSON: Q. How much did they raise your income as you recorded it in those years?

A. I believe --

Q. Not "I believe", you know?

A. I got an auditor.

Q. Who was the auditor?

A. Mr. Charles Simmons.

Q. What is his address?

A. 372 Bay Street, Suite 510. There was confusion with the house with my brother.

Q. I am asking you how much more they added to your income than what you had declared?

A. (No answer).

THE COMMISSIONER: Q. How many thousands of dollars?

A. Around one thousand or two thousand in one year, and I don't recall -- If I had the figures -- The auditor has all the figures. It's never been straightened out with the Appeal Board yet. He's been looking after it. There was one year, 1958, I know was -- I think I was about three thousand dollars over, or four thousand dollars over what my income was; but the house is a confusing thing here.

MR. WILSON: Q. I take it you have a copy of the appeal that was filed?

A. Yes, I have.

Q. Well, would you bring that tomorrow morning, please?

A. Yes I will, sir.

Q. Now, you have not told us what became of the other nine hundred dollars in one-hundred dollar bills that you mentioned on page five of your diary. Where are they? What did you do with them?

A. I purchased a car with this money. That is, with the money I had in the house. I purchased - not a new car - but another car.

Q. You mentioned you were married in -- what year was that?

A. In March, 1959 - 1958.

THE COMMISSIONER: March, 1958.

MR. WILSON: I missed that.

THE WITNESS: Yes, sir.

MR. WILSON: Q. Did you take a month's vacation - a month's honeymoon - to Mexico and Las Vegas?

A. Yes sir, I did.

Q. How much did that cost you?

A. Sir, I haven't got that with me but I think I have a record of that. I believe it was around six hundred dollars - somewhere around there.

THE COMMISSIONER: Q. For a whole month?

A. Yes, sir. I drove the car, sir; plus the gas. That's another thing separate. I paid the gas when I came back.

Q. That is only twenty dollars a day. Where did you stay, at a motel or hotel or where?

A. Motels, except in Mexico City we stayed at a hotel.

Q. You were down in Mexico?

A. Yes, sir. We drove down there and

drove back.

Q. To Las Vegas you mean?

A. Well, we went -- He said Mexico and Las Vegas.

Q. That is only twenty dollars a day for the two, isn't it, for food and entertainment?

A. My wife and I are very modest livers.

Q. You must be.

MR. WILSON: Q. Now, on page four of your diary you recorded certain bills that you say you showed to Constable R. Wood and he made a list of them, and they total two hundred dollars?

A. Yes, sir.

Q. Why did you say in your evidence at page 5296 that you had shown Constable Wood -- I am sorry. You said you showed the four hundred dollars to Scott?

A. Yes, I showed -- Actually, I showed him this two hundred dollars but I had a one hundred dollar bill wrapped around the bill.

Q. And you represented it to be four hundred dollars?

A. Yes, sir.

Q. That is all for the moment.

EXAMINED BY MR. MacKINNON:

MR. MacKINNON: I wonder, Mr. Commissioner, I would like to have Constable Moore - if he is here - recalled on some of the evidence he has in regard to these telephone calls, and which were made by this witness to McDermott's number and Constable Scott. There is some information in there. I have been looking through Mr. Moore's note books on the weekend and I believe he made an analysis which will be very helpful on these phone calls - notthe one I am thinking of, as I understand it, of the times - and what not - places.

THE COMMISSIONER: Number 156 - have you seen that?

MR. MacKINNON: Yes, I have.

THE COMMISSIONER: 159?

MR. MacKINNON: And 157.

THE COMMISSIONER: 157 is this witness's diary.

MR. MacKINNON: Yes, I am sorry. What is this?

THE COMMISSIONER: 159.

MR. MacKINNON: Yes, that is right. No, this is another breakdown completely.

MR. WILSON:
Mr. Commissionery it is not another breakdown completely it is a summary which is an exhibit and which is based on the book my friend is talking about.

THE COMMISSIONER: Well, as you want him

recalled before you start to question him?

MR. MacKINNON: Yes, I would. I don't want to be making statements to this witness which I understand is in this other document.

THE COMMISSIONER: Is P. G. Moore here?

MR. WILSON: No.

MR. MacKINNON: Maybe he can be here tomorrow morning.

THE COMMISSIONER: Yes.

MR. MacKINNON: Q. Witness, how far did you go in school?

A. Grade twelve, sir.

Q. And if my arithmetic is right, from what you have told us today, you were born in 1930, is that correct?

A. No, I was born in 1931.

Q. In 1931, and you got out of school either in 1950, I believe you said, or in 1951, is that correct?

A. It would be about that time, yes.

Q. And you would be nineteen or twenty about that time?

A. Yes, I would.

Q. Now, I would like an analysis of just where you worked and for how long between the time you left school and the time you joined the Provincial Police? You mentioned a number of occupations but will you start from when you left school? For whom did you start to work?

A. I believe when I first started --

stopped school, or left school - the first occupation I had would have been at Swift Canadian Corporation. That's the stock yards, working on the killing floor.

Q. Is this when you were telling us you were a butcher?

A. I'd been a butcher prior to that period of time.

Q. At Swift's?

A. No, this is when I left school.

Q. How long were you with Swift's?

A. I wasn't there too long. I was only there a couple of months.

Q. Would this be in 1951?

A. Either 1950 or 1951.

Q. And would it be July or August - September?

THE COMMISSIONER: Q. School would close in June?

A. Yes, and I think that could be correct, sir. It could have been the summer - July, August and September. I'm not sure how long I worked there.

MR. MACKINNON: Q. But you went to work immediately you left school? That is what you are telling us?

A. Well, sir, I had been --

Q. You went to work immediately you left school with Swift's, is that correct?

THE COMMISSIONER: Q. Well, now, you do

not need to hesitate about that?

A. I am guessing, sir.

Q. You don't need to guess - school ended in the month of June, do you remember that?

A. Yes, I remember that now.

Q. Did you start to work immediately for Swift's?

A. That's what I'm not sure of because I was working for another -- I was working in a grocery store and butcher store, and whether I stayed there for a week or two weeks, or a month, and then went to Swift's I don't know, sir.

THE COMMISSIONER: It does not make much difference.

MR. MacKINNON: Q. I understood you to tell us your first full-time job after you finished your schooling was at Swift's, is that correct or not?

A. Unless I worked at this butcher store - I'm not sure. Either that or --

Q. Just while we are on Swift's, how much would you be paid a week there?

A. Swift's?

Q. This is in 1950 or 1951; $35.00 a week - $30.00 a week?

A. I believe I was making about sixty or seventy dollars a week. This is a union packing house and they were paying the union rate, and we worked quite a bit of overtime, and they

were exporting meat to the old country, I believe.

Q. Were you fired?

A. No sir, I quit.

Q. We will come back to that in a moment.

MR. MacKINNON: I understand that Constable Moore is here now. Mr. Wilson has just told me.

MR. WILSON: He is here now, Mr. Commissioner, and we can recall him. There is a summary of these financial transactions from 1953 through to 1960 which I think will be helpful but the copy I have has a lot of notes written on the side and I prefer to have a clean copy for filing. I will do that for the morning.

THE COMMISSIONER: All right.

Step down, witness.

---Witness retires.

---Constable Moore is recalled.

THE COMMISSIONER: Q. You are still under oath?

A. Yes, my lord.

EXAMINED BY MR. MacKINNON:

Q. Constable, you told us the last day about the findings which you and your associates

discovered and you presented us with one document showing the dates and times of the calls to and from the Port Credit number and from Belleville. Now, I understand that you did make a complete analysis of these calls and I have particular reference to the fact, for example, that Wright would phone from one booth in Belleville to Constable Scott and then would move later to an adjoining booth, and call McDermott?

A. That's correct.

Q. Yes, and I believe you broke this down in numbers in sequence and times as to how much time elapsed. Also, we have heard from this witness an explanation that the reason he moved around to make his phone calls to McDermott was -- or to Scott -- was because he was on duty; and I believe in your analysis it will show the number of times when these phone calls were made when he was on duty, and the number of times he was off duty, or having supper - is that correct?

A. Yes, that's correct.

Q. I wonder if you would look at the book Mr. Wilson has. Do you have a copy with you?

A. No, I don't.

THE COMMISSIONER: Q. Is that it?

A. Yes. This is a volume containing all the long distance telephone evidence to do

with the Wright, McDermott and Feeley trial, my lord.

Q. All right.

A. And it was prepared by Constable Scott and myself under the direction of Chief Constable Graham.

MR. MacKINNON: I wonder, would it be possible if we could have a short recess and I could have a look at this with the witness because I see this is a big, fat folder?

THE COMMISSIONER: Very well.

---Whereupon the commission adjourned at 3.35 p.m.

(Page 5485 follows)

---On resuming after recess.

MR. MacKINNON: Q. Constable Moore, in this volume which you have in front of you I take it the first few pages are sort of a telephone directory of the numbers in various cities which were used or which were called by the numbers which you and your associates investigated during your preparation for the trial of Feeley, McDermott and Wright. Is that right?

A. Yes, sir, that is correct.

MR. MacKINNON: I wonder, Mr. Commissioner, if that volume could be marked as an exhibit? There are a great many interesting things in it but I only wish it now for a few matters. He has, for example, prepared a complete chronology of events during the time Wright was seeking to corrupt Scotton a daily basis, showing telephone calls and everything else, with comments and notations, but I do not want to deal with that now.

THE COMMISSIONER: All right, we will mark this as an exhibit.

THE REGISTRAR: Exhibit 161.

THE COMMISSIONER: Q. What is a good name for that, Mr. Moore?

A. Well, we call it the large black brief; but long distance telephone evidence.

Q. Supposing they call it Moore's Collection of Long Distance Calls; how is that?

A. Fine, sir.

---EXHIBIT NO. 163: Moore's Collection of Long Distance Calls.

All right.

MR. MacKINNON: Q. Constable Moore, you made a breakdown of the calls to Scott and their relationship to the calls to McDermott which were made by Wright?

A. Yes. When we found the 92 pay station calls to -- both, some to Scott and some to McDermott, we set out to prove by inference that all were made by Wright. In doing this we broke them down in many different ways to show that it was possible for Wright to make them and that Wright did make the calls.

Q. Now, what I am interested in is the number of calls which were made, as you have them there, from one booth and, immediately thereafter, another call being made from an adjoining booth. In other words, the first call to Scott and the second call to McDermott?

A. Yes. I took the 48 calls to Scott --

THE COMMISSIONER: Q. Is this paged, by anychance?

A. I am sorry, my Lord, they are not numbered. I could have them numbered.

Q. A little bit of sticky tape, or something up at the corner of that page. That is close to the front?

A. Yes.

Q. One, two, three, four, five, six.

A. Page 8.

MR. MacKINNON: Q. I wonder if you will continue with that breakdown?

A. As I said, we compared the 48 calls to Scott with the 44 calls to McDermott. On 15 times the call to Scott is followed almost immediately by a call to the McDermott residence from a twin booth - that is, an adjoining booth.

THE COMMISSIONER: Q. On 15 out of the 48?

A. 48.

Q. Calls were made to McDermott from an adjoining booth?

A. From an adjoining booth. And the average time lapse between the end of the call to Scott and the beginning of the call to McDermott was one minute and 45 seconds.

MR. MacKINNON: Q. So I understand you: That would equal 30 calls, 15 to Scott and 15 to McDermott. Is that correct?

A. Yes.

Q. Please continue?

A. Five of the calls to Scott were followed almost immediately by a call to McDermott from the same booth. And the --

THE COMMISSIONER: Q. Just a moment. Yes?

A. And the average time lapse between

Q. One, two, three, four, make five, six.

A. Then 3.

Q. Mr. Clemens, I wonder if you will continue with that knowledge?

A. As I said, we computed the 24 mile to Fort with the 44 mile to Bodega.

Q. If these the mail to Fort is Tiburon about approximately 9 miles so the sequence -- measure from a true point - that is, the -- measuring tape.

MR. CLEMENS: Q. Is it not of that kind?

A. Yes.

Q. Calls were made to Bodega from a adjoining boats?

A. From an adjoining boats. And the average time lapse between the end of the call to Fort and the beginning of the call to Bodega was one minute and 20 seconds.

MR. McCLOSKEY: Q. So I understand you that would equal 30 mile, 12 to Fort and 18 to Bodega. Is that correct?

A. Yes.

Q. Alone continue?

A. Time of the calls to Fort were followed almost immediately by a call to Bodega from the same boats. And the --

MR. CLEMENS: Q. Let's a moment.

A. And the average time lapse between

the ending of the call to Scott and the beginning of the call to McDermott was three minutes and 59 seconds.

Q. The interval in between?

A. Yes, my Lord.

Q. Yes?

A. One of the calls to Scott is followed by a call to the Royal York Hotel, and that is the suite, 2-262 I believe it is.

MR. MacKINNON: Q. Yes, we have heard about that.

A. And that is from the same booth. The time lapse there was three minutes.

Three of the 48 calls were --

THE COMMISSIONER: Q. Just a moment.

A. Sorry, my Lord.

Q. Yes?

A. Three of the 48 calls were in close sequence on one day, and I didn't break this down in with the others. They were, say, calls at 7.14 to the Scott residence and Scott was not home; 7.18 to Scott at the Earl French Club; and, then, from the same booth at 7.23 to McDermott.

Q. 7.18 from Earl French Club --

A. To the Earl French Club.

Q. To the Earl French Club?

A. Yes.

Q. To Scott?

A. Yes.

Then, at 7.23 to the McDermott residence.

The dialing of the call to Lalit and the initiation of the call to McKennett was three minutes and 37 seconds.

Q. The interval in between?

A. Yes, my Lord.

Q. Okay?

A. One of the calls to Pooja

is followed by a call to the Royal Bank Canada, and that is the entry 2-402 I believe is it.

MR. McKENNETT: Q. Yes, we have heard

[illegible]

A. And that is from the pay phone [illegible].

THE CLERK: [illegible] THE TRIAL MINISTER.

Three of the 48 calls were --

THE TRANSLATOR: Q. Just a moment.

A. Sorry, my Lord.

Q. Yes?

A. Three of the 48 calls were in close sequence on one day, and I didn't have this done in with the others. They were, say, calls at 7.14 to the Pooja residence and Pooja was not home; 7.18 to Pooja at the Real French Club; and, then, from the same booth at 7.21 to McKennett.

Q. 7.14 from Real French Club --

A. To the Real French Club.

Q. To the Real French Club?

A. Yes.

Q. To Pooja?

A. Yes.

Then, at 7.23 to the McKennetts residence.

Q. What date was that?

A. That was February the 19th I believe, my Lord.

MR. MacKINNON: Q. That was the date of the so-called big storm?

A. Yes, I believe that is correct.

Q. Looking at Scott's diary, February the 19th, he speaks of talking once to Wright at the Earl French Club, and I take it that is, what, 7.19 call?

A. That would be the 7.18 call.

Q. Then, Wright called McDermott. And, then, Scott, in his diary, states a few minutes later the 'phone rang again and this call was also for him and Wright then informed him the Ramsay Club would be closed that evening. Is there a later call after he spoke to McDermott?

A. Yes, at 7.31 p.m., to Scott, at the Earl French Club.

Q. Did he use an adjoining booth on that last call?

A. Yes. The first three were from the same booth.

THE COMMISSIONER: Q. The first two?

A. No, there were three, my Lord. There was one call to Scott's residence but Scott was not home.

Q. Yes. The first what?

A. The first three were from the same both and the last call to Scott was from the

Q. [illegible]

A. That was February the 12th I believe, my lord.

Mr. McCLINTOCK: Q. What was the date of the telephone call Friday?

A. Yes, I believe that is correct.

Q. Instead of Tuesday night, because the 12th, he speaks of calling once to Wright at the Fuel Branch Club, and I think it was Q. what, 7.30 early?

A. That would be the 7.30 call.

Q. Only Wright calls Blossom?

And, then, Scott, in his diary, places a few minutes before the 'phone rang again and this call was made for 7.45 and Wright came Blossom him the Conway Club would be closed that evening. Is there a later call after he spoke to Blossom?

A. Yes, at 7.31 p.m., to Scott, at the Fuel Branch Club.

Q. Did he use an ordinary booth on that night?

A. Yes. The first three were from the same booth.

Mr. McCLINTOCK: Q. The first?

A. No, there was three, my lord. There was one call to Scott's residence but Scott was not home.

Q. Yes. The first three?

A. The first three were from the same booth and the last call to Scott was from the

twin booth.

Q. What do you mean, from the "twin" booth?

A. Its right side by side, my Lord. The adjoining booths.

MR. MacKINNIN: Q. Yes?

A. Ten of the calls to Scott, there is a later call to McDermott's residence. In other words, they are not immediately right after. Four times before an hour had elapsed and twice after several hours. On seven of the 48 calls Scott was not home and there are seven later calls. and those seven are all paired. In other words, he tried to call and Scott was not home and he called again and those seven later ones are all paired.

Q. By "paired" do you mean paired by a call to McDermott?

A. Yes, that is correct.

THE COMMISSIONER: Q. With a later call to McDermott?

A. Yes.

Three of the times that Scott was called there is a call from the Gogek telephone, a later call from the Gogek telephone, and there would be no need for a call to McDermott on that occasion -- on those three occasions.

Q. Followed by a later call from or to?

A. From the Gogek 'phone.

twin booth.

Q. What do you mean, from the 'twin' booth?

A. The right side by side, my local and adjoining booth.

Mr. [illegible] Q. Well

A. Two of the calls to South, there is a longer call to Bolsonville [illegible]. In other words, that was not [illegible] long story. Four times before on hour had elapsed and twice after several hours. In every of the 4 calls South was not home and there are seven longer calls. And those seven are all patent. In other words, he talked to call and South was not home and he called again and there were longer [illegible] patent.

Q. By 'patent' do you mean yielded to a call to Bolsonville?

A. Yes, that is correct.

[illegible] Q. With a Mobile call [illegible]

A. Yes.

Three of the times that South was mobile there is a call from the Gopher telephone, a later call from the Gopher telephone, and there would be no need for a call to Bolsonville on that occasion — no local [illegible] occasions.

Q. Followed by a later call from or

[illegible]

A. [illegible]

MR. MacKINNON: Q. The charge to the Gogek 'phone?

A. Yes.

Q. A call charged to the Gogek number to where?

A. To Wright's residence in Belleville.

Q. To Wright's residence.

THE COMMISSIONER: Q. Three of the calls to Scott followed by a later call to the Gogek number?

A. From the Gogek number to Wright's number.

Q. I see.

MR. MacKINNON: Q. In other words, McDermott did not wait for Wright to call him, he called Wright?

A. That is what I would think, yes.

THE COMMISSIONER: Q. To a pay 'phone?

A. No, a call right to Wright's residence, Woodland 8-6223.

MR. MacKINNON: Q. Is there any further breakdown on these calls and the relationship between the McDermott and Scott calls?

A. No.

Q. The next question then is: Did you examine Wright's diaries and ascertain just where he was - namely, whether he was on or off duty - at the time of these calls?

A. Yes, I did.

Q. I wonder if you would give Mr.

Mr. McCLINTOCK: Q. Did a change in the Sugar Tariff?

A. Yes.

Q. Is well observed in the House Commons to answer?

A. To amplify evidence in Hansard.

Q. To amplify's evidence.

THE CHAIRMAN: Q. Three of one calm by Lord Cullwood Sg a letter call by the House Commons?

A. From the Sugar member to amplify's evidence.

Q. I see.

Mr. McCLINTOCK: Q. Or other words, Commons the may Jan review in call him, in action evidence?

A. That is what I would think, yes.

THE CHAIRMAN: Q. In a few words?

A. No, a call right to amplify's evidence, Commons Lords.

Mr. McCLINTOCK: Q. Do there any further treatment on these calls and the relationship between the Management and Lords calls?

A. No.

Q. The most question then is, did you consider amplify's clarion and necessary just where he was - mainly, whether he was on or all duty - at the time of these calls?

A. Yes, I did.

Q. I wonder if you would give me.

Commissioner that breakdown?

A. Of the 92 calls 68 were made while Wright was off duty. 17 calls were made while Wright was on supper hour from the four to twelve shift and of those 17 when Wright was on his supper hour 14 of them were made from the three booths nearest to the Wright residence. There were only seven of the 92 calls which were made while Wright was on duty, according to his diary.

Q. And where were those calls made from?

A. Three of them were made from the booth -- the pay telephone booth which is the closest booth to the Provincial Police headquarters there.

Q. Yes?

A. That would be the booth at the rear of the city hall. And one of the seven was made from a booth at the front of the same city hall. Two of the seven were made from Mallory's White Rose service station at Bayside.

Q. And on that occasion he would be in his cruiser, wouldn't he?

A. Yes, he was.

Q. He was accompanied by another officer at that time?

A. An officer by the name of McAllister.

One call while he was on duty was from a booth, and it was the booth nearest to his own home.

So, that accounts for the seven while he

A. Of the 24 calls so were made while Wright was off duty. 17 calls were made while Wright was on duty from the hour to twelve midnight and of these 17 when Wright was on his hours. 14 of them were made from the three booths mentioned in the indictment. Leaving just only seven of the 24 calls which were made while Wright was on duty, according to his claim.

Q. And where were these calls made from?

A. These of them were made from the booth -- the two telephone booth which is the closest thing to the Prospect Street Substation.

Q. Yes?

A. That would be the booth at the rear of the city hall. And one of the seven was made from a booth at the front of the same city hall. Two of the seven were made from Mallory's Wine Home Service station at Bayside.

Q. And on that occasion he would be in his cruiser, wouldn't he?

A. Yes, he was.

Q. He was accompanied by another officer at that time?

A. He was [illegible] the time of [illegible]

The call which he was on duty was from a booth, and it was the booth nearest to his own home.

So, that accounts for the seven while he

was on duty.

THE COMMISSIONER: Q. There were three from the 'phone at the back of the city hall?

A. Yes.

Q. One from a booth at the front of the city hall?

A. That is four, my Lord.

Q. That is four. Two from Mallory's White Rose station?

A. That is six.

Q. Six. And one from where?

A. The booth nearest to his house.

Q. Yes?

A. We also checked his requests to leave the district. When an officer wishes to leave the district he submits a report stating the time of leaving and the time of return. And none of the 92 calls appeared when he was shown to be absent.

Q. If he made 92 calls he could not be absent?

A. Well, we just checked that, my Lord, to make sure there were none made while he was absent.

MR. MacKINNON: Q. Now, just -- Is there anything further on that particular matter?

A. We also made a comparison of the location of the booths in relationship to where Wright had lived and where he frequented.

Q. Is that Exhibit 161?

was so dull.

MR. [illegible]: Q. [illegible]

From the 'phone at the back of the [illegible]

A. [illegible]

Q. [illegible] Have a family on the [illegible]

of the [illegible]?

A. That is true, my lord.

Q. That is true. Was from Mr.Lloyd's

while [illegible]?

A. That is [illegible].

Q. Bit. And our [illegible]

A. The bedsh [illegible] to his house.

Q. [illegible]

A. [illegible] also [illegible] his [illegible] to

leave the district. When an officer wishes to

leave the district he [illegible] a [illegible]

the time of leaving and the time of return.

And some of the DC calls [illegible] when he was

[illegible] to be [illegible].

Q. If he made DC calls he could [illegible]

to [illegible]?

A. Well, we just [illegible] that, my lord,

to [illegible] there were [illegible] while he was

absent.

MR. [illegible]: Now, just -- Is there

anything [illegible]

A. We also made a [illegible] of the

location of the bedsh in relation to where Wright

had lived and where he frequented.

Q. To [illegible]

A. That is a map drawn by Constable Foley of our Identification Branch. He went to Belleville and looked at each booth and made that map.

Q. Where is Mallory's gas station on this map?

A. Its out there (indicating) at the extreme lefthand. It is not shown accurately. That is the only one not shown accurately because it is near Trenton, Ontario.

Q. It is off?

A. Yes.

THE COMMISSIONER: Write the name there.

MR. MacKINNON: Q. How do you speall "Mallory", M-a-l-l-o-r-y?

A. Yes, that is right.

Q. Could you give me an estimate as to how far Wright's home would be from, for example, the booths which are marked six and seven on Exhibit 161?

A. No, I am afraid I can't.

Q. Would it be a few miles?

A. I would say, if I were guessing, it would be two miles.

THE COMMISSIONER: Is there a scale on that?

MR. MacKINNON: No, I am afraid there isn't.

MR. WILSON: There is another exhibit showing the distances I think.

A. That is a map drawn by Constable Tilly of the Yukon Territorial Police, the road to Dawson and Ivanhoe and the Yukon River and Dawson and Ivanhoe.

Q. Where is Nelligan's gas station on this map?

A. It's out there (indicating) on the extreme left-hand. It is not shown accurately. That is the only one not shown accurately because it is near Freedom, Ontario.

Q. It is off?

A. Yes.

THE COURT: Thank the gone above.

MR. MACKENZIE: Q. Now do you recall "Nelligan", Mr-N-l-i-g-a-n?

A. Yes, I know Mr Nelligan.

Q. Could you give me an estimate as to how far Nelligan's home would be from, for example, the Yukon Valley Gas Company motor air and sewer on Takhini Lake?

A. No, I am afraid I can't.

Q. Would it be a few miles?

A. I would say, it's very speculative. It would be two miles.

THE COURT: Q. Have a guess in miles.

A. MR. MACKENZIE: No, I am afraid there isn't.

MR. WILSON: Have an answer which shows the distance I think.

MR. MacKINNON: That has been filed?

MR. WILSON: Yes.

THE COMMISSIONER: Exhibit 161.

THE WITNESS: At the front of that, my Lord, it has the distance measured by Constable Foley and Corporal Howting, and they measured the distances from the Provincial Police headquarters to each booth and also from Wrighty's house to each booth.

MR. MacKINNON: Q. Does it show it -- I cannot find it on this Exhibit 160 from Wright's house over to No. 6 and 7 in Exhibit 161. I am now showing you Exhibit 160.

A. No, this exhibit doesn't have it on, although I believe it was done by Corporal Howting, all measurements taken both ways.

Q. Then, did you make an analysis or check the calls to the Ramsay Club with relation to the calls from Scott -- or, from Wright to Scott and, then, Wright to McDermott and, then, McDermott to the Ramsay Club?

A. Yes, I did.

Q. I wonder if you would give Mr. Commissioner your analysis of those calls?

A. On the Gogek telephone there are a total of twelve calls to the Ramsay Club in Niagara Falls and eight of those twelve calls are on the days of a raid for which a tip-off was provided.

THE COMMISSIONER: Q. Yes?

Q. Gentlemen, does the name Clark

A. Correct, Yes.

THE COMMISSIONER, Absolutely.

THE WITNESS: As the Crown of that, my lord, is the distance measured by Constable Kelly and Corporal Dowling, and they measured the distance from the Prohibited Polling Station to such boxes and also from Wolseley's house to such boxes.

Mr. MACLENNAN: Q. Now is there is -- I cannot find it on this Exhibit 100 from Wolseley's house over to No. 6 and 7 in Exhibit 101.

I am now showing you Exhibit 101.

A. Yes, that exhibit shows it there, although I believe it was done by Corporal Dowling, his handwriting along that way.

Q. Then, did you make an enquiry to know the calls on the Conway line with relation to the calls from South -- or, from Wolseley to Fort Qu'Appelle, which is Conway and, then, Monroeville to the Bennett Club?

A. Yes, I did.

Q. I wonder if you would give Mr. Commissioner your analysis of those calls?

A. In the Upper telephone there are a total of twelve calls to the Bennett Club; in Fraser calls and eight of those twelve calls are on the days of a raid for which a search-warrant was produced.

THE COMMISSIONER: Q. That

A. That is eight of the twelve, my Lord. And I believe there are two -- I will have to go from memory now. And two appear on the day following a raid. That would account for ten of them. One appeared after Scott had complained to McDermott about the fast opening of the door on one of the raids. There was one occasion when there was a raid conducted.

Q. Is this another one now?

A. No, this is a separate incident, my Lord.

MR. MacKINNON: Q. Before we leave that: Did you do an analysis of the calls from Wright to McDermott and then what happened on the days of the raids, whether McDermott called the Ramsay Club shortly thereafter?

A. Yes, I did. But I don't have it with me there. But, they were always after. They were always after.

Q. They were always after?

A. Yes.

Q. And before the raid?

A. Yes.

Q. I suppose it could be hidden in that volume somewhere?

A. Well, it would be in the daily summary on a daily basis.

Q. In any event, you are quite clear, when the calls were made by McDermott from this Gogek number after McDermott heard from Wright

Q. Just to origin of the matter,

my Lord. And I believe there are two -- I will have to go from memory now. And two square on the visibility data. That would depend [illegible] tion of view. The squared after floats had [illegible] to [illegible] about the MAT measure of the open or map of the main. There are two square [illegible] data [illegible] and a data discussion.

Q. In this another one now

[illegible] my claim to a separate [illegible], my Lord.

MR. McCUTCHEON: Q. Before we leave that: Did you do an analysis of the cable from Halifax to Bedeque and then what happened on the open of the main, was that Bedeque cable or the shore via Annapolis Royal?

A. Yes, I did. But I don't have it with me there. For, they were single wire. They were single wire.

Q. They were Allan Bell?

A. Yes.

Q. And before the main?

A. Yes.

Q. I suppose it would be hidden in line volume measurement?

A. Well, it would be in the main measuring on a daily basis.

Q. In any event, you are quite clear, when the calls were made by telephone from the Upper Bedeque office Bedeque heard from outside

and before the Raid took place?

A. Yes.

THE COMMISSIONER: Q. All calls to the Ramsay Club were after a call from Wright to McDermott?

A. Yes, on the days of the tip-off, my Lord. Yes.

Q. That would be eight?

A. Yes, that is right, my Lord. These eight calls are all after the tip-offs, and sometimes there are two in one evening.

Q. But they are calls from McDermott to the Ramsay Club?

A. Yes.

Q. After the calls from Wright to McDermott?

A. Yes, that is right, my Lord.

MR. MacKINNON: Q. Would there be calls to Sammy Balsom's number as well at this time from the Gogek number?

A. Well, during the period that we did have the long distance tolls there are calls to Sammy Balsom's, yes.

Q. On the days of the raid?

A. No, not particularly. No. I don't think so.

Q. There is one other question on this particular subject I would like to ask you: We have had evidence here that the -- that a Mrs. Costello allowed her number to be used.

and before the field took place?

A. Yes.

THE CHAIRMAN: Q. All calls to the Sunny Side were either a call from Alaska or Monroe?

A. Yes, on the days of the elections, my land. Yes.

Q. That would be right?

A. They came in regular as usual. Those calls were all either the Alaska and Monroe lines for in the morning.

Q. But they are calls from Monroe to the Sunny Side?

A. Yes.

Q. After the calls from Alaska to Monroe?

A. Yes, that is right, my land.

Mr. McCLINTOCK: Q. Would there be calls to Sunny Balcom's number as well as this line from the Gypsy number?

A. Well, during the period that we did have the long distance calls there were calls to Sunny Balcom's, yes.

Q. On the days of the polls?

A. No, not particularly. No. I don't think so.

Q. There is one other question on this particular subject I would like to ask you. We have had evidence here that the -- that a Mrs. Cornelio allowed her number to be used,

Mr. Hirtch.

THE COMMISSIONER: What is his nickname again, Mr. MacKinnon?

MR. MacKINNON: Ginsey.

THE COMMISSIONER: Ginsey.

MR. MacKINNON: Q. Now, isn't it a fact, so far as long distance calls to the operators are concerned, to be able to charge to a Crescent 8 number the person making the call has to himself be using a Crescent 8 number?

A. To avoid detection, yes. If you want to do it without the Bell's knowledge it is possible but you must stay within your own exchange.

Q. You must stay within your own exchange?

A. Yes. That is, on operator handled tickets.

Q. Do you know where this man Ginsey Hirtch lived?

A. He lived at 241 Kipling Avenue, I think, is the address.

Q. And that is not a Crescent 8 exchange, to the best of your knowledge?

A. No, I would think not. Its too high up for a Crescent 8 number.

Q. And, incidentally, do you know where Ginsey Hirtch is now?

A. I understand he is dead.

MR. MacKINNON: It always seems to lead

Mr. Mitson.

THE CHAIRMAN: What is his qualification, Mr. Mullinsw?

MR. MULLINSW: Grocer.

THE CHAIRMAN: Grocer.

Q. Mr.Chairman, isn't it a fact that the Milk Marketing Board is the organization that concerned, to be able to charge to a farmer, if indeed the Jersey Milk Co. had not be minded to bring a farmer's product

A. To avoid doing, yes. If you were to do it without the Board's knowledge it is possible but you must stay within your own quotas.

Q. You must stay within your own quotas?

A. Yes. That is, on producer marketing.

Q. Do you know where this was Glenwood Farms Ltd.

A. We lived in the Stirling district.

Q. Isn't, in the mid-west,

A. And that is not a farmers & marketing, to the best of your knowledge?

A. No, I could tell you not. It is up-hill up for a farmer & grower.

Q. Yes, incidentally, do you have water among farms in now?

A. I understand he is said.

MR. MULLINSW: It always rather to land

us back to the dead.

Q. Do you know when he died?

A. I think the date was April 1, and I think he died in London, Ontario, of a heart attack.

Q. This year?

A. Yes.

Q. I think that is all for now, Constable.

THE COMMISSIONER: Any questions, anybody?

Q. That is all, thank you.

---The witness withdraws.

---

up early to the dean.

Q. Do you know Miss Jo Gray?

A. I think the date was April 2, and I should be dead in London, [illegible], or a heart attack.

Q. Sir?

A. Yes.

Q. I mean does Jo call her mom.

MARGARETA.

[illegible] my questions, [illegible]?

A. That is all, thank you.

—The witness withdrew.

THE COMMISSIONER: Now, have Wright come back.

ROBERT J. WRIGHT, recalled.

EXAMINATION BY MR. MacKINNON (continued):

Q. Now, witness, you were telling us that you had quit of your own accord at Swift's. Where did you go from there?

A. I think I went down and worked in tobacco, I believe. In tobacco. It was harvest time for tobacco.

Q. And for how long?

A. It was only for about two months. Maybe six weeks.

Q. Where was this?

A. Down near Delhi, Ontario. Yes.

Q. Why did you leave Swift's, because you had a better chance at tobacco?

A. Yes, it was outside.

Q. It is only seasonal, though, isn't it?

A. Oh, yes.

Q. Wasn't Swift's a permanent position?

A. Yes, I guess I could have made it permanent.

Q. What were your plans, just to work for a couple of months and look around for another job?

A. Oh, I don't recall what my plans were at the time, but I did quit and I went to -- to tobacco, and then --

Q. Where did you go from there?

A. Its hard for me to remember exactly away back but then I think I might have sold magazines with another friend.

Q. Did you file income tax returns for 1951? This was the year that you quit school?

A. I don't recall whether I did or not, sir.

Q. What was your school?

A. Riverdale Collegiate.

Q. So I take it they would have a record of when you left?

A. Yes, sir, they would.

Q. And after you finished selling magazines what did you do? How long did you sell magazines?

A. Oh, just a short time, sir; just a few days.

THE COMMISSIONER: Q. A week, two weeks, three weeks?

A. Maybe a week. There was another friend of mine and he (sic) decided to do that together.

MR. MacKINNON: Q. When you finished selling magazines after a week or so what did you do?

A. Sir, I don't recall what my plans were at the time, but I did quit and I went to -- to Delaware, and then --

Q. Where did you go from there?

A. The best for me to remember, exactly why back two-three I think I might have had suggestions with another friend.

Q. Did you ever tender the resignation that could be the year-long gas work school?

A. I don't recall whether I did or not, sir.

Q. When was your last job?

A. Interstate Collegiate.

Q. Do I come to the year-long gas work school or what did you do?

A. Yes, sir, long work.

Q. And after you finished working engineering what did you do? How long did you work? Suppose?

A. Oh, just a short time, sir, just a few days.

THE COMMISSIONER: Q. A week, two weeks, three weeks?

A. Maybe a week. There was something future at mine and he (sic) decided to do other things.

Q. MR. MCCLENDON: -- Were you fired or quitting engineering after a week or so what did you do?

A. I could have gone and worked in a butcher shop again.

Q. Well, did you?

A. I -- I believe I did. But, as I say, I worked in a butcher shop up on Avenue Road and, then, I worked -- Yes, I think I went to that shop after I left the magazines. I went back.

Q. Would this be in about January of the year in which you graduated?

A. Graduated?

Q. Well, left school?

THE COMMISSIONER: Q. You left school?

MR. MacKINNON: Q. Didn't you graduate?

A. No, sir, I did not.

Q. You did not get your junior matric?

A. No, I sir, I did not. I am just guessing because it is so long ago. I am trying to remember as best I can.

THE COMMISSIONER: He is remembering pretty well.

MR. MacKINNON: Well, I just want this. It is only a year or two, and I just want to get it exact.

A. I did work for this butcher store up on Avenue Road.

Q. How long did that last? Is this another short job?

A. I was there for quite a while and then I went to this brother's place and worked.

A. I would have gone and helped his
[illegible] also again.

Q. Well, did you

A. I -- I believe I did. Anyway, as I
see, I worked in a butcher shop up on Avenue
[illegible] and, then, I worked -- See, I think I went
to that shop after I left the reformatory. I went
back.

Q. Would this be in about January of
the year in which you graduated?

A. [illegible]

Q. Well, left school?

THE CHAIRMAN: Q. You left school?

MR. McCLENAHAN: Q. Didn't you graduate?

A. No, sir, I did not.

Q. You did not get your junior matric?

A. No, I did not. I am just
guess my lessons it is so long ago. I am trying
to remember as best I can.

THE CHAIRMAN: He is remembering
pretty well.

MR. McCLENAHAN: Well, I just was [illegible].
It is only a year or two, and I just want to get
it straight.

A. I did work for this butcher down
up on Avenue Road.

Q. How long did that last? Is this
[illegible] place?

A. I was there for quite a while and
then I went to this butcher's place and worked.

Q. And did the same kind of work?

A. Yes, sir.

Q. Between the two would it be a year's employment?

A. I can't remember exactly the year it was I was there now.

Q. We have you out of school in 1950 or 1951 and we have you joining the police in 1953 so it is only one or two years.

A. Yes, but I worked at the Post Office also.

Q. You worked at the Post Office for about a year, did you?

A. I think a little over a year.

Q. This was after you left the butcher shop?

A. Yes.

Q. Did you make an income tax return on that year?

A. At the Post Office? Yes, sir.

Q. What did you do there?

A. I was postal clerk in registration department at the Post Office, working from five to twelve; like, nights all the time.

Q. What would be your income there?

A. It was a salary.

Q. Eighteen hundred a year?

A. I think it was more than that, but I am just guessing, sir, I don't recall.

Q. When you were selling these magazines

Q. Had you ever seen him before?

A. Yes, sir.

Q. Between the two would it be a pretty [illegible]

A. I would remember [illegible] I was [illegible] guy.

Q. We have gone out of order in [illegible] and we have you finishing the action in [illegible] in July, was it not?

A. Yes, but I worked at the Ford [illegible]

Q. You worked at the Ford [illegible] a year, did you?

A. I think a little over a year.

Q. Like you other you left the business [illegible]

A. Yes.

Q. Did you make an income tax return [illegible]

A. [illegible]

Q. What did you do then?

A. I was posted alone in [illegible] department at the cost office, working from five to seven; five, eight and nine.

Q. That would be your income [illegible]

A. It was a salary.

Q. Eighteen hundred a year?

A. I think it was [illegible], but I am just guessing, sir, I don't remember.

Q. When you were walking [illegible]

did you have a car?

A. No, sir, I did not.

Q. You did not have a car until you joined the Provincial Police, is that it?

A. Yes, sir. I was a joint owner in a car. We bought old relics.

Q. You never bought one yourself?

A. No, because my friends all had cars and there was no need for me to have one.

Q. You have generous friends. After you left the Post Office where did you go? Did you move into the Provincial Police then?

A. No. I left the Post Office -- I believe after I left the Post Office another chum of mine and myself went out to Western Canada.

Q. Was this a lengthy period of time?

A. No, just a short period of time. We went out there to work in a harvest. I had some relations out there.

Q. And, then, when you came back what did you do?

A. I believe when I cameback from out there I put the application in to the O. P. P., I believe.

Q. When did you drive this taxi you told us about?

A. That would be between the period of time that I ~~gam~~ made the application to the O. P. P. until my -- to the time I was to report to the

did you have a car?

A. No, sir, I did not.

Q. You did not have a car until you joined the Provincial Police, is that it?

A. Yes, sir, I had a little Ford in a car. He bought old mellie.

Q. You never bought one yourself?

A. No, because my friends all had cars and there was no need for me to have one.

Q. You have spoken friends. Since you left the first office where did you get and you move from the Provincial Police there?

A. No. I left the last office -- I believe since I left the first office another chum of mine and myself went out to Southern Canada.

Q. You take a lengthy period of time?

A. No, just a short period of time. We went out there to work in a harvest. I had some relatives out there.

Q. And, then, when you came back what did you do?

A. I believe when I came back from out there I put the application in to the O. P. P., I believe.

Q. When did you drive this car? You told us about?

A. That would be between the period of time that I made application to the O. P. P. until my -- to the time I was to report to the

C. F. F.

Q. Are you on probation when you first join the C. F. F.? Is there a period of probation?

THE COMMISSIONER: Just a moment.

Q. Who did you drive taxi for?

A. Easy Taxi. Its on Parliament Street.

Q. How long did you continue on that job?

A. It was a short time. I would say - I am just guessing - but maybe three months. I either started there before Christmas or just after Christmas. I went from there to the C. F. F.

MR. MacKINNON: Q. I take it there would be considerable periods of time in these two years and a half, between the time you left school until you joined the C. F. F., that you would be unemployed?

A. Yes, there would be times when I wouldn't be. I wasn't too worried about --

Q. And when you were unemployed were you living on this money you had stashed away behind the aquarium?

A. Yes. I lived at home with my parents and I didn't have to pay too much room and board. I believe I paid, back in those days, $10.

Q. You did pay room and board?

A. Yes, if I was working, and I continued paying that until the time I got

Q. Are you on probation when you first join the C. I. D.? In there a period of probation?

MR. MACKIN: Just a moment.

Q. How did you drive that fast?

A. They fast. Its on pavements [illegible]

Q. How long did you continue on that job?

A. It was a short time. I would say - I am just guessing - for one month [illegible] I also [illegible] there before Christmas in 1[illegible] [illegible]. I went from there to the C. I. D.

MR. MACKIN: Q. I take it there would be considerable periods of time in there [illegible] and a half, between the time you left school until you joined the C. I. D. when you would be unemployed.

A. Yes, there would be times when I wouldn't be. I wasn't too working about --

Q. And when you were unemployed was you living at home? Did you [illegible] [illegible] the expense?

A. Yes. I lived at home with my parents and I didn't have to pay for board from [illegible]. I believe I held, back in those days, $18.

Q. You did pay room and board?

A. Yes, if I was working, and I [illegible]

married.

Q. $10. a week?

A. Yes, sir.

THE COMMISSIONER: Q. You told us earlier you did not have to pay any room and board?

A. This is when I was a youngster. As long as I was in school I didn't. I wasn't working, I didn't have to pay room and board. But, when I was working -- There was no saying I had to I just did.

Q. I was under the wrong impression. I thought while you were living with your parents you did not pay any room and board but you corrected me. You paid $10. a week when you were working?

A. Yes, sir.

Q. And when not working you did not pay?

A. That is correct.

MR. MacKINNON: Q. Even though you had this money down beside the aquarium?

A. Oh, yes, sir.

Q. And do you now tell us that at the time you joined the Ontario Provincial Police, after this history of your employment and unemployment, you had something like, what, $2,000. saved up, fifteen hundred to two thousand, did you say, all in cash?

A. Yes, sir.

Q. You did not trust banks. Is that it?

morning.

Q. [illegible] paper

A. Yes, sir.

THE CHAIRMAN: Q. Did NOBA do anything for you during your long period?

A. Yes, sir.

Q. What do you [illegible] a year?

As long as I was in school I didn't. I wasn't working. I didn't have to pay room and board. But, when I was working -- there was no choice I had to I just did.

Q. I see. Did NOBA [illegible]

I think while you were living with your parents you did pay your own way and then [illegible] you [illegible] me. You said [illegible] a week when you were working?

A. Yes, sir.

Q. And when not working you did not pay?

A. That is correct.

Mr. McCUTCHEON: Q. Even though you had your house been [illegible]?

A. Yes, yes, sir.

Q. And do you now tell us that as time goes you joined the Ontario Provincial Police, after this history of your employment and unemployment, you had something like, what, 22,000, maybe 23, [illegible] looked to one discount, did you [illegible] in [illegible]

A. Yes, sir.

Q. You did not [illegible] [illegible]

A. Actually, no, I did not trust banks.

THE COMMISSIONER: Q. You did not trust the bank?

A. No, sir.

Q. You were suspicious of them, too?

A. No, sir. I can recall on an occasion - this is going back several years - when I knew this girl who worked at a bank and I knew for a fact that -- in fact, she told me about somebody in the neighbourhood who had some money in that bank. I don't know just how much money they had in the bank. And I thought at the time it was nobody's business, a person has their own bank account. And from that time I didn't think too much of banks because the word would get around all over the place.

(page 5510 follows)

DD1/GS

Q. But you did have a bank account from time to time, didn't you?

A. Yes, sir. I used to use them more as a convenience for writing cheques, if I was ever anywhere and went short. Along that line.

Q. Did you --

A. I never had too much in it at any time.

Q But you kept the great portion of your wealth stashed away in the basement, and your - in your bedroom, is that correct? Up in your bedroom?

A. Yes, I don't think it was wealth, sir. It was just--

THE COMMISSIONER: $2,000.00?

MR. MacKINNON: Pretty good for a youngster of 19, I would say, or 18.

A. As I say, I was--

Q. Apparently you never touched it for over 4 years.

A. I was adding to it.

Q. You were adding to it, even when you were out west, eh?

A. No, but when I was at work. As long as I was at work, sir.

Q. What kind of tropical fish did you keep?

A. Oh, I had guppies.

Q. Well, that is not a tropical fish.

Q. Did you have a good evening, Miss Lee (Miss Wright)?

A. Yes, sir. I went to see some more as a convenience for writing chapters. If I was ever expelled and sent home, I could start Latin.

Q. Did you --

A. I never had two years in 19 as one class.

Q. Did you find the usual lectures of your senior students on the behaviour and you - in your dormitory in your absence?

A. Yes, I don't think it was worth, sir. It was just--

Q. Conversation, do you mean?

A. Conversation. Merely some jar a [illegible] of it, I would say, so it.

A. As I say, I was--

Q. Apparently you never knowing it for your [illegible] course.

A. I was asking to it.

Q. You were getting to it, even when you went out west, eh?

A. No, but when I was on work. As long as I was at work, sir.

Q. What kind of tonight from the [illegible] you [illegible]

A. Oh, I had questions.

Q. Well, that is not a rational life.

A. It certainly is, sir.

Q. Is it?

A. Yes, sir. I had paradise fish, angel fish.

Q. Yes?

A. Moons, swordtails, and I also had gold fish. I had two lilly ponds in the back yard. Zebras.

Q. Paradise fish and swordtails are quite expensive, aren't they?

A. I don't think they are expensive, just maybe if you buy a pair, but they breed very quickly. They are live - not so much. The paradise and the swordtails and moons and guppies are live bearing fish, and they breed.

Q. What kind of an acquarium did you have?

A. Well, I had one acquarium - in fact I had two acquariums that my father - he used to do the same thing when he was young.

Q. You didn't buy them yourself, then?

A. No. I built two acquariums myself while I was on the O.P.P.

Q. I am talking about this time when you were keeping fish.

A. I had --

Q. Between the ages of 18 and 22, or when you joined the O.P.P.

A. I had three tanks. That is my - I

Q. Is yesterday is, see.

Q. Is 1?

A. Yes, sir. I had punching fish, sweet fish.

Q. Yes?

A. Sharks, swordfish, and I also had gold fish. I had two lilly pones in the back yard. Tadpoles.

Q. Swordfish fish and swordfish are alike in history, aren't they?

A. I don't think they are necessary. Just maybe if you buy a suit, but they seem very curious. They are like - not so much. The pectoral and the dorsalfin are large, and they swim around and fly jumping fish, and they broad.

Q. What kind of an occupation did you have?

A. Well, I had one transaction - in fact I had two occupations that my father - on good to do the same thing when he was young.

Q. You didn't buy them yourself, sonny?

A. No. I help her commercial quick while I was on the O.P.S.

Q. I am talking about fish and some wear had some hunting fish.

A. I am -

Q. Answer the open of 10 and 10, or more yes fishes the 1.1.1.

A. I have three cones. Then is my - I

probably had them when I was may be 12 years old, because - or may be even younger, because my father had them, and I just more or less carried on after he let it go, and half the time he would give me the fish.

Q. But you were still continuing?

A. I used to breed them. I used to breed them as well.

Q. You were still continuing this, I take it, after you left high school, and before you joined the C.P.F.? This was a continuing hobby of yours, was it?

A. Yes, sir.

Q. Any idea how much it would cost you for a year?

A. For the fish?

Q. Feeding them, looking after them, replacements, repairs?

A. Very little.

Q. Very little? Because they can eat, these tropical fish.

A. You put these tropical fish into the tank, and you don't change the water. I used to feed them mosquito larvae. I used to go out to lilly ponds in the summer time, collect mosquito larvae, and out in the yard collecting worms and grubs.

Q. This is in the winter time too?

A. No, I bought them bran shrimp. I used to feed them bran shrimp in the wintertime.

[illegible] had been mean I was say in it seems [illegible]. Lorenzo - or may be even pressure, because my father had died, and I just made or been convicted on after he left it go, and half the time he would give me the flat.

A. But you were still [illegible]?

A. I went to Sweet Home. I had to leave [illegible]).

Q. The part really [illegible] A. Yes Ma'am (Mrs. Allen Jon Jack Ryle mother), you before you joined the C.A.P.? Did you a conversation about of prison, was it?

A. Yes, sir.

Q. Why does you mean it would good for me a place?

A. For the right?

Q. According then, looking after them, regulations, rounded?

A. Yes, sir.

Q. Yes, sir? Tempted have you ever, from prison.

A. You put those tempted fish into the barrel, and you don't change the water. I used to feed them mosquito larvae. I used to go out to Lily pads in the summer time, collect mosquito larvae, and use in the pond collecting [illegible].

Q. Did it in the winter also too?

A. No, I hardly ever been outside. I used to feed them from storage in the winterhouse.

That is about ten cents.

THE COMMISSIONER: Well, this is interesting, but lets get down to something important.

MR. MacKINNON: Well, now, can you tell me why is Mr. Feeley and McDermott paying your lawyer to represent you here?

A. Why are they paying my lawyer?

Q. Yes.

A. They are not paying my lawyer.

Q. I see. Are you paying Mr. Rose?

A. I haven't given him a retainer in money yet. I intend to give him some money.

Q. I see. Feeley and -- how did you happen to retain Mr. Rose? Were you advised by Feeley and McDermott that they had him?

A. No, sir. I had called Mr. Hartt, and told him that - I believe it was Mr. Carty, I wanted to see him. This was prior to coming here to the commission, but Mr. Hartt, or Mr. Carty wanted to see me, and I followed Mr. Hartt to tell him, and I asked if he could come over for me, and he said he couldn't come over for me, that he was tied up in court, and as a matter of fact I don't believe - I didn't see Mr. Carty that particular night.

Q. Well, all right, let's get down to see how --

A. I am explaining that, sir.

that an event that occurs.

MR. CONSTANTINOPLE: Well, this is retrospective, you just can see in looking backwards.

Mr. MORGAN: Well, sure, can you tell me why is Mr. Henley and Blackmore staying away? Is it because you have?

A. [illegible] they are very jealous of Bennett.

Q. Then.

A. Then not the reason is simply.

Q. I see. Did you income Mr. Bond?

A. I haven't given him a [illegible] to bring you. I turned to give you some [illegible]

Q. I think. Mr. [illegible] — Sec. 111

you happen to notice Mr. Bond? Have you noticed Mr. Henley and Blackmore and they two like?

A. No, sir. I had notice Mr. Bond, and told him that - I believe it was Mr. Henley, I worked to see him. This was prior to coming down to the conference, but Mr. Henley, or Mr. Henry wanted to see me, and I followed Mr. Henry to that him, and I found it he owed over over for me, and he used to counter's come over for me, then he was going to the court, and as a matter of fact I don't believe - I don't see Mr. Henry that particular night.

Q. Well, all right, let's get back to the time —

A. I am [illegible] [illegible]

Q. How did you get in touch with Mr. Rose?

A That is what I am explaining, sir. So then I told Mr. Hartt, and he said that Mr. Rose was sitting up at the commission every day. He said he couldn't be up here that I could come up here - you can ask him if you couldn't retain him.

Q. He said Mr. Rose would be sitting up here every day?

A. He said he had been sitting up here every day, and as far as he knew he was sitting up here. I knew he was here when I first retained him, or when I was here.

Q. You knew Mr. Rose, I take it?

A. Oh, yes. I knew him as a lawyer, sir, yes.

Q Then, you had been talking to Peeley and McDermott about this Royal Commission?

A. Yes, sir.

Q. Yes. And they told you that Mr. Rose was acting for them?

A. Mr. Rose told me that himself. Yes, sir.

Q. No, no. Just listen to my question: McDermott and Peeley told you that Mr. Rose was acting for them, that is right, isn't it?

A. Yes, they did.

Q. Yes.

Q. Was did you get in touch with Mr. Hoss?

A. That is what I am explaining, sir. So when I told Mr. Hurst, and he said that Mr. Hoss was working by at the [illegible] day. He MAY be [illegible] to be here but I could move up here - you can ask him if you wish's return him.

Q. He said Mr. Hoss would be sitting on Hoss every day?

A. He said he had been sitting up here every day, and as far as to know he was sitting up here. I know he was here when I first contacted him, or when I was there.

Q. You mean Mr. Hoss, I take it?

A. Oh, yes. I mean him as a lawyer, sir, yes.

Q. Then, you had been talking to Hosley and Hofmann about this legal consultant?

A. Yes, sir.

Q. Yes. And they told you that Mr. Hoss was acting for them?

A. Mr. Hoss is the attorney, sir.

Q. Yes, sir.

Q. Mr. Hoss was acting for them, that is what Hofmann and Hosley told you that Mr. Hoss was acting for them, that is what's [illegible]?

A. Yes, that was.

Q. Yes.

A. Yes.

Q. And you knew that before Mr. Rose was ever mentioned to you by Mr. Hartt, or anyone else?

A Yes, I did, sir.

Q. Yes. So you asked Mr. Rose, up here, if he would represent you as well as Feeley and McDermott, is that correct?

A. I didn't mention Feeley and McDermott to him.

THE COMMISSIONER: Well, you knew that he was acting for Feeley and McDermott.

A. Yes, but the question was - he said, 'As well as Feeley and McDermott'. I just asked him to act for me.

MR. MacKINNON: But you say there was no payment? You gave him no retainer.

A. No, sir, not as yet.

Q. Now, in your discussions with Feeley and McDermott, you were discussing this RoyalCommission, weren't you?

A. Yes, we had discussed the Royal Commission in Mr. Rose's office at some time.

Q. Well, quite apart from Mr. Rose's office, you had spoken -- you mean to say you were at Mr. Rose's office with Feeley and McDermott before you retained Rose?

A. No, no, no,no, no.

Q. Well, you said you spoke to Feeley and McDermott before you ever saw Rose.

Q. Yes.

Q. And you have that before Mr. [illegible] in the TV, [illegible] in Bryan Allen?

A. Yes, I did, sir.

Q. Yes. In your mind Mr. Bond, or have, at an early [illegible] in Hooley and Delaney, is that correct?

A. I didn't mention Hooley and Delaney [illegible] to them.

Mr. [illegible]. Only, you know that we are dealing for Hooley and Delaney.

A. They did [illegible] made. He will be Hooley and Delaney'. I just [illegible] to ask [illegible].

Mr. [illegible]. Did you ever [illegible] to [illegible]? You have him on retainer.

A. Mr. [illegible] not as yet.

Q. Mr. [illegible] your [illegible] Hooley [illegible] Delaney [illegible]?

A. Yes, we have discussed the [illegible] Mr. [illegible] at some [illegible].

Q. Well, [illegible] Mr. [illegible] office, you and [illegible] -- you [illegible] to say you [illegible] Bond's [illegible] with Hooley and [illegible] [illegible]?

A. Mr. [illegible].

Q. Well, you [illegible] to [illegible] Hooley and Delaney [illegible]

A. I spoke to Feeley and McDermott when they were on trial. I was charged as co-conspirator with them. This is two years ago.

Q You talked to them a lot more recently than two years ago, witness?

A. Yes, but I have been talking to them periodically since this time.

Q. I am talking about this commission, nothing else.

A. Okay, sir.

Q. Direct your mind to that now, witness.

A. Okay.

Q. You have spoken to Feeley and McDermott about this commission, since it has been set up, and before you retained Rose?

A. Yes, sir.

Q. Yes, and you discussed this question of perjury with them, didn't you?

A. No, sir.

Q. No discussion?

A. No, sir. The only thing we discussed is points that Constable Scott had said, and about this same information since that he also states I had said, and they asked me if I said those things.

THE COMMISSIONER: Who did?

A. Mr. McDermott.

MR. MacKINNON: This is since the commission was set up? Now, you remember what

A. I agree to Stanley and Bettencourt when they were in total. I was charged on co-conspirator with them. This is the point.

Q. You talked to them a lot when you were in the jail, didn't you?

A. Yes, but I was just talking to them as ordinarily anyone with them.

Q. I'm talking about this conversation, talking about.

A. Okay, sir.

Q. Without your ever be that long, always.

A. Okay.

Q. You have spoken to Stanley and Bettencourt about this conversation, since it has been put in, not before you testified about?

A. Yes, sir.

Q. Yes, and you discussed this testimony in [redacted] with them, didn't you?

A. Yes, sir.

Q. Yes discussed?

A. No, sir. The only things we discussed is whether we had conversations with them, and about this same information since that he also stated I had said, and they asked me if I had those options.

THE CONSTABLE: The jury?

A. Mr. Bettencourt.

MR. HOWLAND: This is since the conversation was set up? Now, you remember what

I said, that this question has to do with this commission. Is that what you are now telling us this was discussed?

A. Well, when it was in the newspapers, sir.

Q. Oh, come on. It has been in the newspapers for two years. You heard Constable Scott in the box at two trials, didn't you? You heard his evidence?

A. Yes, sir.

Q. You knew what he said, and your counsel at those trials had copies of his diary, or his reports, didn't he?

A. Yes, I believe he did.

Q. Yes, you believe they did. And you saw those reports? They weren't hidden from you? You saw those reports?

A. Yes, I saw those reports.

Q. Yes. All right. Let's get some facts. Now, what I am asking you, surely you had lots of time to talk with Feeley and McDermott about those reports during your trial? As you told us, you talked to them during the trials.

A. Yes, sir.

Q. Is that correct? I want to know what you talked about with regard to this commission? Forget the trials, we are into 1962. Now, what did you talk to Feeley and McDermott about?

I said, that this question has to do with this commission. Is that why you are testifying in this investigation?

A. Well, some it was in the beginning, yes.

Q. Oh, come on. It has been in the newspapers for the years. The Daniel Inouye Hawaii is the Inouye Committee. Mary's part. You know the answer.

A. Yes, sir.

Q. You have spent an entire, you spent months at those hearings had months of his theory on his country. Didn't say

A. Yes. I believe he did.

Q. Yes. You believe you did. And you are there expected. Key question's issue from you? You was there somewhere?

A. Yes, I was there somewhere.

Q. Okay. All right. Let's get back there. Now, when I am asking you, merely you had lots of time to talk with Jeanine and testimonies about those sources during your testimony? In you had an, you talked to them during the hearings.

A. Yes, sir.

Q. In that manner? I want to know what you talked about with regard to this commission? Except the trains, we are look right. Now, what did you talk to Jeanine and Hedges about?

A. They asked me if I said - questioned if I had said a certain thing to Scott, and I either told them I said it, or didn't say it.

Q. Well, surely you had gone all over that two years ago.

A. Oh, no, sir.

Q. Just what I said. These reports were in your hands two years ago, in 1960, 1961, 1962? When you had your first trial in 1961.

A. Sir, I never read the reports. My counsel had the reports.

DD2/GS

Q. He never went over them with you?

A. Well, he asked me certain questions, yes, but I never read the report, sir, to that effect.

THE COMMISSIONER: Come back just a moment. Did I take you down correctly, that you and McDermott and Feeley were together in Rose's office?

A. Yes, sir.

THE COMMISSIONER: This is after the trial, and before this commission began to function?

A. No, sir. No, sir.

THE COMMISSIONER: Well, when?

A When I retained Mr. Rose, sir. That same day. No, I don't think it was the same day. It was - it would be about a week ago.

A. When asked me if I said -

[illegible] I had been a [illegible] [illegible] and I haven't seen him in [illegible] or [illegible] I'm [illegible].

Q. Well, surely you had seen him never that two years ago.

A. Oh, no, sir.

Q. Just since I said. Those [illegible] were in your house two years ago. In 1920, [illegible] [illegible]? When you had your first work in [illegible].

A. But, I never used to [illegible]. My [illegible] had the [illegible].

Q. In [illegible] work over [illegible] with you?

A. Well, he asked us [illegible] [illegible], yes, but I never read the [illegible] [illegible]. In [illegible].

[illegible] [illegible] a [illegible]. Did I take [illegible] correctly, that you and [illegible] and [illegible] were [illegible] in [illegible]'s [illegible]?

A. [illegible]

[illegible]: This is after the [illegible], and before this [illegible] began to [illegible]?

A. No, sir. No, sir.

[illegible]: Well, when?

A. When I [illegible] Mr. [illegible], sir. [illegible] [illegible]. No, I don't think it was the [illegible]. It was - it would be about a week ago.

About a week ago. In fact, how it came about is that Mr. Rose had asked me to come down to his office, and in fact I was at the Royal Commission here, and he asked me to come down to his office, so I did go down to his office, and there was some points he wanted to go over with me, that he wanted to ask me, and Mr. Foeley and Mr. McDermott were down there at the time.

THE COMMISSIONER: When you got there?

A. Yes, sir.

MR. MacKINNON: You phoned Mr. Rose, didn't you? He didn't phone you?

A. No, sir. I am saying the day I was in Mr. Rose's office.

Q. No, no, but about going down there, you said he called you, and said he wanted to see you?

THE COMMISSIONER: He said that Rose asked him to go down.

MR. MacKINNON: Yes, but you phoned him? Phoned Mr. Rose, didn't you? Are you telling us he phoned you, and said come on down I want to talk to you about something?

A. Sir, it was here. I was here, he was here, at the Royal Commission too.

Q. This is where he asked you to come down and see him?

A. Yes, sir.

THE COMMISSIONER: Was that before you

Mr. [illegible] Do you know [illegible] or know Mr. Moss had asked me to come down to his office, and on June 1 was at the legal conversation there, and he asked me to come down to his office, so I did go down to his office, and there was some points he wanted to go over with me, then he wanted to ask me, and Mr. Moss, and Mr. Bolsover went down towards the open room.

Q. Do you know [illegible]

A. Yes, sir.

Mr. Buckner: Not speaking Mr. Moss, [illegible] you?

A. No, sir. I am saying the day I met Mr. Moss's office.

Q. Why, but [illegible] there, you said he called you, and said he wanted to see you?

The CHAIRMAN: He said that down [illegible] to go down.

Mr. WOLLMANN: Yes, but you phoned [illegible] Mr. Moss, didn't you? Are you talking on the phone? Yes, and said come on down I want to talk to you about something?

A. Yes, he was there. I was there, he was there, of the Royal Commission.

Q. Then to where he moved you to [illegible]

A. Yes, sir.

The CHAIRMAN: You were talking you

retained him?

A. No, this is after I had retained him.

MR. MacKINNON: And was Curly G rdner at this meeting as well?

A. No, sir, he wasn't.

Q. You know Curly Gardner?

A. Very casually, from raiding the club in Windsor, yes, sir.

Q. Well, we will be coming back to that. I think you know him a little better than that. Now, I want to go back over this again. Before you went to Mr. Rose's office, and before you had retained Rose, you told us you spoke to Peeley and McDermott in connection with this Royal Commission. Now, where did you meet them?

A. Oh, I met them in coffee shops. I met them in the Royal York Hotel.

Q. In a room there?

A. Yes, they had a room there, and I met them in a coffee shop on Adelaide Street, the coffee shop in the Royal York Hotel, a coffee shop on Bay Street.

Q. How would these —

A. Or not a coffee shop, a restaurant I should say.

Q. How would these meetings be set up?

A Some times Mr. McDermott would -

reasonable sum?

A. Mr. Dove is every I had dreamed of.

Mr. WHITEHOUSE. And was Gerry Grover at this meeting as well?

A. No, sir, he wasn't.

Q. Did Dave Lowry therefore?

A. They essentially from relations like that in October, yes, sir.

Q. Well, we will be seeing Dave in court. I think you know him a little better than that. Now, I want to ask you some questions. Review you said to Mr. Dove's attorney and before you had retained Dave, you said to him words to the effect and basically he responded with this Serial Commitment. Now, please tell you meant that?

A. Mr. I was that he active member I had been in the Jewish Jury Israel.

Q. In a room there?

A. Yes, they had a room there, and I was from in a coffee shop on Ansiaria Street, the coffee shop in the Israel Jury Street, a coffee shop on Jay Street.

Q. Then would these --

A. Or not a coffee shop, a restaurant I would say.

Q. How would these meetings be set up?

A. Dave Cohen Mr. Kaminsky would -

there was sometimes I would bump into them on the street. Sometimes he phoned me up and asked me to come down, there is a point they would like to clarify.

Q. And what was it that was discussed in these meetings at various coffee shops and the Royal York Hotel? Whether you had said something or not to Scott?

A. That is correct, and also they wanted to know the history of my background on the O.P.P.

Q. They didn't know that when you were being tried together?

A. No, sir. I had to - they asked me if I would say anything that I could to help the trial.

Q. Now, did you meet them at the coffee shop in Bay Street, and in the Royal York Hotel, and the coffee shop on Adelaide Street in 1962? That is this year? Not very long ago.

A. Yes, sir.

Q. Yes.

A. Yes, sir.

Q. And you were discussing the Royal Commission?

A. Yes, sir.

Q. Yes, and --

A. Not so much the Royal Commission as regarding -- they asked me if I said a

certain point, and whether I did or didn't.

Q. Why would you need all those meetings just to ask you that?

A. Well, that is something I don't know, sir. They asked me to come down and I would.

Q. And each visit they would have something new to ask you, would they?

A. Yes, they would.

Q. They couldn't have asked you that over the telephone?

A. Sir, I won't say anything over my telephone. I just won't.

THE COMMISSIONER: Why? Are you suspicious of that too?

A. I am suspicious of the line being tapped, sir. Yes, sir.

MR. MacKINNON: Well, are you going to say anything incriminating that you should worry?

A. Anything incriminating?

Q. Yes.

A. I, sir - I don't want - wouldn't want to say anything, other than in this witness box, to anybody.

Q. Well, you were talking to Feeley and McDermott, you must have been saying something to them, and you weren't in the witness box.

A. Yes, on a point they would ask me,

[illegible] [illegible] I did or didn't.

Q. Did you ever [illegible] all those conversations just to back you [illegible]?

A. Well, that is considering I don't know, sir. They asked me to come down and I went.

Q. And each visit they would have something for me, yes, would [illegible]?

A. Yes, they would.

Q. They couldn't have asked you that [illegible] my [illegible]?

A. No, I don't [illegible] [illegible] [illegible]. I just [illegible].

THE CHAIRMAN: Why? Are you suspicious of that [illegible]?

A. I am suspicious of the line being taken, sir. Yes, sir.

MR. MACKENZIE: Well, are you going to say anything [illegible] that you [illegible] [illegible]?

Q. Anything [illegible]?

A. Yes.

A. I, sir - I don't [illegible] - [illegible] [illegible] to any [illegible], either [illegible] in this [illegible] [illegible].

Q. Well, you were talking to [illegible] and [illegible], you must have been [illegible] [illegible] to them, and you [illegible] in the witness box.

A. Yes, on a [illegible] [illegible] [illegible] [illegible].

and they would ask me if I said this, or did Scott tell you this, or --

Q All right. What would be wrong with answering that on the telephone, whether your telephone was tapped or not?

A. I just wouldn't give anybody the satisfaction of eaves dropping on my telephone, sir.

Q. I see.

A. I just wouldn't.

Q Can you tell me what room it was at the Royal York? Is this a continuing reservation that these gentlemen have there?

A. Not to my knowledge, sir. I couldn't even remember where the room was.

Q. Do you know in whose name it was registered?

A. No, I don't, sir. They just asked me. I just took for granted it was in their room, that it was in their name.

THE COMMISSIONER: How did you get to the room?

A. I met them in the coffee shop.

MR. MacKINNON: Who else was there besides you, Feeley and McDermott?

A. There was Feeley, McDermott and myself.

Q. No one else?

A. No, sir.

Q. At no time?

A. No, sir.

Q. Your mind is quite clear on that?

A. Yes, sir.

Q. Now, I want to take you back a few years, for the moment, witness. You said something about you had decided to investigate apparently the whole of the Ontario Provincial Police, or was it just the anti-gambling squad when you started on your single-man squad?

A. Just the anti-gambling squad, and the office of the commission.

Q. And the commissioner's office. I see. That was because you had been moved? That was because you had been moved out of the anti-gambling squad? That was your prime reason at the time?

A. Yes, sir.

Q Well, now, I would like to ask you about Mr. Curly Gardner. Did you have occasion to trail him in 1959?

A. Trail? Trail him?

Q. Yes with - with - to shadow him.

A. Yes, sir, I did. Yes, sir, I did.

Q. Yes, you did.

A. That was either 1958 or 1959. I am not certain what year it was.

Q. And you were familiar with Curly Gardner to see? You knew whom you were looking for?

A. Yes. I hadn't seen him for quite some time prior to this, following him this particular date.

Q. Now, would you tell the Commissioner, just what transpired between you and Sergeant Anderson in connection with this interview that Sergeant Anderson was to have with Curly Gardner in September of 1959?

A. Well, best - to the best of my knowledge, Sergeant Anderson told me that a Mr. - a Mr. Curly Gardner had been in touch with him, and wanted to see him.

Q. With regard to what?

A. I believe Mr. Gardner had a talked to him, and told him that he wanted to crumble the McDermott empire. I believe that was --

Q. You knew it was a meeting with regard to Joseph McDermott, is that correct?

A. Well, the McDermott empire, yes?

Q. Yes. All right, then what happened?

A. Well, then it was decided that - that Sergeant Anderson put a tape recorder on his leg.

Q. And who helped him put the tape recorder on?

A. I did, sir.

Q. And you were the only two who knew he had a tape recorder, isn't that right?

A. Yes, I believe so, sir.

Q. Yes.

A. Yes. I really were you for

quite good time before do-this, following the

this particular date.

Q. Then would you tell the

Commission, (At this stage Commissioner Wilson and Commissioner Robinson in consultation with the interview that Commissioner Robinson the be heard with Mr. Cameron in chambers or hotel

A. Well, look - as the good of to

Commission, Commissioner Robinson and in fact a Mr. - a Mr. Harry Hershman had been in point date then, but another to see him.

Q. With regard to Harry

A. I believe Mr. Hershman had a talked to him, and told him that he wanted to consult the Hershman matter. I believe there was --

Q. You know it was a meeting with regard to Joseph Hershman, is that correct?

A. (Mr. The Hershman matter.)

Q. Yes. All right, then what happened?

A. Well, then it was decided that - that happened somewhere for a time discussed in the hall.

Q. And who helped him get his into safe keeping?

A. I did, sir.

Q. And you were the only two who knew he had a bank remember, isn't that right?

A. Yes, I believe so, sir.

Q. Yes.

A. It was a - just a minute, now, before --

THE COMMISSIONER: Oh, I think --

MR. MacKINNON: Sergeant Anderson already swore to that, if that helps you any way.

A. Well, we are the only two that knew about it then. That is fine, sir.

Q. Yes. Then what next - what happened next, after you tapped the tape recorder on his leg? What did you two do?

A. The tape recorder - he got down the hall, and the tape recorder fell off his leg.

Q. Yes, and it was fixed?

A. And it was fixed back on his leg.

Q. That is right?

A. That is correct. It was a bulky tape recorder, and I had just tied it on with string.

THE COMMISSIONER: What were you to do?

MR. MacKINNON: What were you to do?

A. Oh.

THE COMMISSIONER: Besides fix the tape recorder on his leg?

MR. MacKINNON: That is right, we have already got that.

A. I was to follow him, and watch the meetings.

Q. You were to watch the meeting, and then what were you to do?

A. And then what was I to do?

THE COMMISSIONER: Don't repeat the questions.

MR. MacKINNON: Yes, what were you to do?

A. I suppose come back to the office.

Q. Weren't you to trail Curly Gardner?

A. Oh, yes. Yes. I am sorry.

Q. Oh, yes.

A. Yes, sir.

Q. What happened?

A. I was parked at - I don't know the name of the street, down by the water front there, Harbord Street it might be, and I watched Anderson meet Mr. Gardner. I was quite a ways away, and I wasn't sure whether it was Mr. Gardner, because I was so far away; but the meeting didn't last very long, and then I believe he - he got into a car.

Q. Who is he?

A. Mr. Gardner, and Sergeant Anderson got into a car also, a separate car, and then Mr. Gardner came up Bay Street, I believe. I think it was Bay Street.

Q. It was either Bay or Yonge?

A. No, it was Bay Street.

Q. And you followed him?

A. Yes, I got - I didn't want to be too close to him, and I got, oh, I would say, maybe 50 yards behind him, and he had gone

A. And then what was I to do?

MRS. CONSTANTINOPLE. She'd caused the quarrel.

MR. BUCKSTONE. Yes, but what was I to do?

A. I determined that upon the morrow.

MRS. CONSTANTINOPLE. Morrow! You will leave the house.

A. Oh, yes. Yes. I am sorry.

MR. BUCKSTONE. Why, pray?

A. Then, why?

MR. BUCKSTONE. Why?

A. I was jealous of - I don't know the name of the person, dear to this mature lady, Buckstone Bennett by name, and I wondered whether that Mr. Buckstone, I was quite a boy, and I haven't seen whether it was Mr. Bennett, because I may be the only one who knows Grace's name very long, and then I because he - he got been a man.

A. Who is he?

A. Mr. Bennett, and Buckstone Bennett was just been a man also, a gentleman man, and then Mr. Bennett came up to my Grace, I believe, I believe it was our Mr. Bennett.

A. Is one another leg or tongue?

A. Mr. It was Mr. Bennett.

A. And you followed him?

A. Yes, I was - I didn't want to be too mean to him, and I got, oh, I would say, twice to prove behind him, and he had gone

across Bay Street, or, no, he had gone along - along - I am just trying to remember this from the --

Q. You lost him, is that right?

A. I lost him eventually, yes, sir.

Q. Eventually. Didn't you make a - weren't you called on ultimately to make a report on this episode?

A. Yes, sir.

Q. And you did make a report?

A. Yes, sir, I did.

Q. I wonder --

THE COMMISSIONER: What did you say?

MR. MacKINNON: I wonder -- yes, I want to have that, have you -- (Mr. Wilson supplies document)

THE COMMISSIONER: Where did you lose him?

A. It was - it was either Bay and Front, or Yonge and Front. I can't recall. It seems to me he turned along Front Street West, and then he caught a light, and I missed the light.

THE COMMISSIONER: Now, where did you lose him was my very simple question.

A. Well, it would be around - I am only guessing now, sir, because I can't recall. It was Bay and Front, or Yonge and Front.

THE COMMISSIONER: It was either one?

A. Yes.

Q. Was it?

A. Yes. Now, when I started or to say --

THE COMMISSIONER: You are swearing to that.

A. Now I am beginning to wonder if it wasn't Yonge and Front. I am wondering if I didn't follow him to Yonge and Front. It is quite a while ago to remember.

THE COMMISSIONER: Just a moment. If it was Bay and Front or Yonge and Front -

A. Or York.

THE COMMISSIONER: Or York and Front, he got across with the light, and then the light turned red against you, and you had to stop, and that is how you lost him?

A. That is correct, sir.

MR. MacKINNON: Well, you - in this report I am looking at you said:

"He proceeded west along Front Street" You must have seen him do that.

A. Yes.

Q. Yes. And you lost him along Front Street, then, as he was going west?

A. Well, I believe I come up behind him, and he turned left and I had to wait for the light, and that is how.

THE COMMISSIONER: He went left off of Front?

A. No, he turned left off either Bay

Yonge, or York.

MR. MacKINNON: Bay or York.

THE COMMISSIONER: Well, he went west along Front how far?

A. I don't know how far he went. That is where I lost him, right around in there some place.

THE COMMISSIONER: Well, if he went left off Front he would go into the bay.

A. He turned left off Bay.

THE COMMISSIONER: Well, he went --

A. Turned left off Bay Street or Yonge Street.

THE COMMISSIONER: You met over at the park?

A. Right, sir.

THE COMMISSIONER: Yes. Then you started to follow him along Front Street, is that right?

A. No, the park, sir, is down on Harbord Street.

THE COMMISSIONER: All right.

A. Harbord - it is below - it is just below Lakeshore Boulevard.

THE COMMISSIONER: I know where it is, but I don't know the streets too well there.

A. Neither do I, sir.

THE COMMISSIONER: All right. Now, leaving the park you followed him west, did you?

A. I followed him north.

THE COMMISSIONER: You followed him north.

Tower, or Tom.

MR. BOUCHARD: Day or night.

THE COMMISSIONER: Well, he went west along Tower Ave.?

A. I don't know how far he went. That is where I last saw, right around in there some place.

THE COMMISSIONER: Well, if he went left or if you go south on Tom Lake Bay.

A. He turned left at Bay.

THE COMMISSIONER: Well, he went -

A. Turned left at Bay towards or Tom Lake.

THE COMMISSIONER: [redacted] was he in jeep?

A. Yeah, sir.

THE COMMISSIONER: Now, you stated to follow his along Bruce Street, is that right?

A. No, the jeep, sir, is down on Sudbury Street.

THE COMMISSIONER: All right.

A. Instead - it is below - it is just below Lorraine Boulevard.

THE COMMISSIONER: I know where it is. But I don't know the streets well there.

A. Beltner de Ly sir.

THE COMMISSIONER: All right. Now, leaving the jeep you followed him on?

A. I followed his car.

THE COMMISSIONER: You followed his car.

A. Yes, sir.

THE COMMISSIONER: To Front Street?

A. Yes, sir.

THE COMMISSIONER: And then he turned left on Front Street, is that what you are saying?

A. Yes, sir.

THE COMMISSIONER: And you continued behind him, and you lost him?

A. I continued up to Front, and I lost him at Front and Bay, either Front and Bay or Front and Yonge. I followed him up Bay from down there.

MR. MacKINNON: You followed him about one long block, is what it amounts to, isn't that correct?

A. It wasn't too far, becaus there was quite a bit of traffic.

Q. Yes.

A. The reason it wasn't, there was quite a bit of traffic.

THE COMMISSIONER: Wait a minute. This park is not near Bay Street.

A. It is right at the foot of Bay Street. I think it runs from Bay over to Yonge.

THE COMMISSIONER: It is east of Bay Street, isn't it?

A. Yes, I believe it is.

THE COMMISSIONER: Isn't it east of Yonge Street? It is not too far from the Ontario

A. Yes, sir.

THE CROSS-EXAMINER: Do Bonne Jeunes?

A. Yes, sir.

THE CROSS-EXAMINER: Are they the Bonne Jeunes that we found around, in that boat you was saying?

A. Yes, sir.

THE CROSS-EXAMINER: And you recognized Bonne Jeunes and you knew them?

A. I questioned us to Brown, and I knew him as Brown and Jay, either Brown and Jay or Brown and Tanner. I followed him up Jay from then.

Q. PRESIDENT: You followed him along from Jay Island, is what it amounts to, isn't it?

A. It wasn't but far, because there was quite a bit of traffic.

Q. Yes.

A. The reason it wasn't, there was quite a traffic.

THE CROSS-EXAMINER: Quite a traffic. This road is not near Jay Brown.

A. It is roughly at the foot of the Bonne. I think it runs from Jay over to Tanner.

THE CROSS-EXAMINER: At the mouth of Jay Bonne, isn't it?

A. Yes, I believe it is.

THE CROSS-EXAMINER: Isn't it south of Jay Bonne? It is not too far from the Jay Bonne

Provincial Police building headquarters, is it?

A. Oh, no, it is not very far.

THE COMMISSIONER: Not very far, and it is east of Yonge Street? That is east, isn't it?

A. I am not sure whether it is east of Yonge Street.

THE COMMISSIONER: Well, take my word for it, then, it is a fact.

A. Yes, sir.

THE COMMISSIONER: Now, you followed him west on what street?

A. They would have - Sergeant Anderson and him would have met on the south --

THE COMMISSIONER: They met in the park.

A. Yes, but in one corner of the park.

THE COMMISSIONER: On a bench there?

A. Yes, sir.

THE COMMISSIONER: Yes, and the meeting didn't last long?

A. No, sir.

THE COMMISSIONER: They separated?

A. Yes, sir.

THE COMMISSIONER: And you say Anderson was in a car?

A. Yes, sir.

Q. Are you sure of that?

A. I think he had a car.

THE COMMISSIONER: If you are not sure,

Cross-examination (Julian Gritzkey continued). In his

Q. [illegible] you [illegible] Jerry.

THE CONTRACTOR: Not very far, and is it out of range through? Look in once, [illegible] it?

A. I am not sure whether it is in sight of Judge [illegible].

THE CONTRACTOR: Well, that is [illegible] far is, then, it is a [illegible].

A. Yes, sir.

THE CONTRACTOR: Now, you followed him back on what street?

A. [illegible] - [illegible] one his would have met on his route --

THE CONTRACTOR: Step out in the yard.

A. Yes, but in one corner of the [illegible].

THE CONTRACTOR: In a house [illegible]?

A. Yes, sir.

THE CONTRACTOR: Now, see the [illegible] Gritzkey?

A. No, sir.

THE CONTRACTOR: Just [illegible]?

A. Yes, sir.

THE CONTRACTOR: And you say [illegible] was in a car?

A. [illegible].

Q. Have you seen it [illegible]?

A. I think in that a car.

THE CONTRACTOR: If you are not sure,

say so.

A. Well, I am not sure, sir.

THE COMMISSIONER: Well, you are not sure. You see a moment ago you said Anderson got into a car, and Gardner got into another car.

A. I believe so. I believe he did, but I am not sure, because he could have walked down the street. He could have walked from the O.P.P. place.

THE COMMISSIONER: Yes. I think that is so. Mr. Gardner got into the car, and you began to trail him west along what street?

A. I trailed him - no, sir, I trailed him north.

THE COMMISSIONER: You trailed him north along what street?

A. Bay Street. Either Bay Street, or Yonge Street.

MR. MacKINNON: Bay Street.

A. Bay Street.

THE COMMISSIONER: You are sure of that?

A. Yes, sir. I do recall him going up either Bay Street or Yonge Street.

MR. MacKINNON: May I put it to you again, witness, that you trailed him one long block, and then you say you lost him, isn't that correct? From Harbord Street up to Front.

A. Well, that would be two blocks, because there is Lakeshore Boulevard.

Q. You were just going up Bay Street, isn't that right?

A. Two long blocks, sir, yes.

Q. As soon as he turned left, and went west, you lost him, is that correct?

A. Yes, sir.

Q. And you are now swearing that he went west.

A. From Bay - Bay Street.

Q. That is right?

A. Yes, sir.

Q. We have had Mr. Gardner, you know, already? Did you know that? And he said he went directly to the King Edward Hotel, but you say he went west, and you lost him.

A. Yes. Yes, I did.

THE COMMISSIONER: Now, are you positive of that?

A. -- (no answer) --

THE COMMISSIONER: You won't get any inspiration looking up at the ceiling.

A. Well, I am trying to recall, sir.

THE COMMISSIONER: Well, all right.

A. It happened three years ago, and I am trying to do the best I can.

MR. MacKINNON: You made a report on this just a little over two years ago, didn't you get a copy of that report?

A. Yes, sir, I did.

Q. Yes?

Q. Now were just going up the street, isn't that right?

A. Two long blocks, sir, yes.

Q. Is there an [illegible] and [illegible] very [illegible] to [illegible]?

A. Yes, sir.

Q. And you are now approaching where he was [illegible]?

A. Yes, sir - [illegible].

Q. That is right?

A. Yes, sir.

Q. We have had Mr. Gardner, you know, already? Did you know that? And he said he was [illegible] at the [illegible] [illegible], so we say he was [illegible], and you have him.

A. Yes. Yes, I did.

THE CROSS-EXAMINER: Now, are you positive of that?

A. -- (No answer) --

THE CROSS-EXAMINER: You don't get any [illegible] [illegible].

A. Well, I am trying to recall, sir.

THE CROSS-EXAMINER: Well, all right.

A. I remember where [illegible], and I [illegible] [illegible] [illegible].

Mr. CROSS-EXAMINER: You made a report on this, just a little over two years ago, didn't you [illegible] [illegible] of that [illegible]?

A. Yes, sir, I did.

Q. That?

A. Yes, sir, and as a matter of fact I haven't looked at it. I took it to my lawyer's office and I got it back from him, but I haven't seen it since. There was a lot of other reports.

THE COMMISSIONER: Well, now, are you sure which way you went?

A. I am - I am guessing, sir. I am not absolutely sure, but I am reasonably sure that he went west.

THE COMMISSIONER: I suppose you felt very badly when you lost him.

A. Yes, I was pretty mad at myself for losing him.

MR. MacKINNON: You were aware, weren't you, that within a few days Curly Gardner called Sergeant Anderson and told him he knew that Sergeant Anderson had a tape recorder on him?

A. No, sir, I wasn't aware of that.

Q. You weren't?

THE COMMISSIONER: Well, you are now.

A. Yes, sir.

THE COMMISSIONER: How did Anderson find out?

MR. MacKINNON: Or rather how did Curly Gardner find out, that is what I am interested in, witness, if you and Sergeant Anderson were the only two who knew it? How did Curly Gardner find out? Can you tell me?

A. I don't know, sir.

Q. Did you, you go to a house on Long X house's house at 32. X took it to my answer's office and X got it back from him, but I didn't see it since. There was a lot of other people.

THE CONSTABLE: Well, now, are you sure of your ground?

A. I am - X is reliable, sir. I am not absolutely sure, but X is reasonably sure he was wrong.

THE CONSTABLE: X reasons pretty well very badly when you look him.

A. Yes, I was pretty sure of myself for leaving him.

Q. Gentlemen: The prosecution, counsel's are, that which is the stage family discover matter Gentlemen, however, and that you be long you; counsel Gentlemen has a less inclination to hear

A. No, sir, I mean's answer at stage.

Q. You mean's?

THE CONSTABLE: Well, you are sure.

A. Yes, sir.

THE CONSTABLE: Has the defendant final ...?

Q. Gentlemen: If matter has did finally discover find out, that is what I am interested in, witness. If you and defendant Gentlemen were very has who been ...? Has did family Gentlemen find out? Can you tell me?

A. I don't know, sir.

Q. Give me a good guess.

A. I would think that anybody in that type of line of work like Mr. Gardner --

Q. What type of work?

A. Trying to cause trouble, I would have thought he was very - would be suspicious, and expect somebody to have a tape recorder on him.

Q. Well, he stated as a fact.

A. Pardon?

Q. When he said it as a fact?

Page 5536 follows.

DD/4

A. Oh, I don't know whether he saw it. I mean --

Q. What kind of work is Mr. Gardner in?

A. He is a gambler, as far as I know. He used to be. I would think he might still be.

Q. The same line of work as Feeley and McDermott?

A. I don't know whether Feeley and McDermott are in the gambling business now. They are in - I think they are pretty well in the gold mining business, or mining business.

Q. Well, it depends on your definition of gold mine, I suppose, witness, but you did know that much about Curly Gardner then, what business he was in?

A. Oh, yes.

Q. How would you find that out? By raiding his premises? Premises that he acted as lookout for, or steward for? How would you know any more about him than Feeley and McDermott? You seem very careful about Feeley and McDermott.

A. Well, sir, he was in Windsor.

Q. Well, I understood he ran the business he was in. What do you know about them running a business?

A. They were in the gambling business.

Q. What about Feeley and McDermott,

A. Oh, I don't know exactly in

one 16. I mean --

Q. What kind of people did, describe

for?

A. Oh as a generic, as far as I

know, he left to us. I would value in

people still so.

Q. The same line as work as Bentley

and Independent

A. I don't know whether Bentley and

Independent are in the gambling business now.

They are in - I think they are pretty well

in the gold mining business, or mining business.

Q. Well, it depends on your

definition of gold mine. I suppose, whereas

you did know that had some local business

here, what business do you say

A. Oh, yes.

Q. How would you find that out?

By reading the newspaper? Knowledge that he

served as lookout for, or assayer for? How

would you know any more about him than Bentley

and Independent? You seem very careful about

Bentley and Independent.

A. Well, sir, he was in Windsor.

Q. Well, I understood he was the

business in Windsor. What do you know about

him running a business?

A. They were in the gambling business.

Q. That was Bentley and Independent.

and the Frontier?

A. I suspected they were in the gambling business, yes.

Q. Much more so than Curly Gardner, I suggest.

A. I wouldn't think any more.

THE COMMISSIONER:

Q. Why? Why?

A. Well, Mr. Gardner, we always suspected he ran the club at Windsor.

MR. MacKINNON: Q. You did.

A. And we always suspected Feeley and McDermott ran the club here. I wouldn't suggest they were in business more one than the other.

Q. Isn't it a fact that he was only a flunky for Feeley and McDermott down in the Roseland Club?

A. No, sir. I can recall back when that club was running, which is some time ago, and I don't know who told me, whether it was Sergeant Anderson, whether it was Staff Inspector Tomlinson, or Shrubb, that they had a fellow by the name of - a fellow by the name of Brown, I think they said, who was suspected - that they thought he was their interest at the Vets Club down there in Windsor.

Q. Sure it wasn't Smith?

A. No, there was -- there was this man Brown, and I am pretty sure that he was

and the Bandbox?

A. I haven't been here in the morning, yet.

Q. Had work on Glen Daly Swimming = Pool?

A. I wouldn't think they were.

MR. CHAMPIONNIERE:

Q. Okay? Okay?

A. Well, no. However, we always supported in the Club at Windsor.

MR. MACCHIONI: Q. Yes Sir.

A. We've always supported Daly and Bonnycastle from the club here. I wouldn't support any more in Lincoln than we have the other.

Q. Isn't it a fact that he was only a Flash for playing and [illegible] on the Bowling Alley?

A. No, sir. I can recall back when that Club was running, which is some time ago, and I don't know who told me, whether it was Bernard Anderson, whether it was MARC Chamiere Championnière, or Harry, that they had a fellow by the name of - a fellow by the name of Brown, I think they call, who was supported - that they brought in not basic Insurance at the Vera Club down there in Windsor.

Q. Does it seem to Satisfy

A. Well, that's - that's for that [illegible], and I am trying [illegible]

running the club.

Q. Well, just before we adjourn, witness, I wonder if you will identify your signature on this document?

A. Yes, that is my signature, sir.

Q. And would this - I would just like to read you your report made December 21st, 1959. This was some considerable time after the episode, and it is:

"Re Observation of Rendezvous
"between Sergeant J.M. Anderson
"and one Frank Gardner, convicted
"Windsor Gambler, at Toronto, Ontario."

Now, when were you requested to make this report? Som time very shortly before this date, December 21st, 1959?

A. Yes, it would be -- It would be, sir.

Q. You hadn't made a report on September 9th, 1959, I understand, before then?

A. No, sir, I didn't.

Q. And did you raise thequestion as to why they were wanting a report on this episode now, over three months after it had happened?

A. I don't think I would, because there were times an incident would happen, and we would be asked several weeks later for a report.

Q. This is over three months later,

passing for sign.

Q. Will you please do sign, please, I mean, it does still identify you signature on this document?

A. Yes, that is my signature, sir.

Q. And really what - I would just like to read you some lines from Dreamer Star, 1970. This was some correspondence after the episode, and it says:

"To Observation of Bondsmanship

Common Document 1/6, Commander

"Not and Brown Jackdaw, Antilles

Harbour Quality, on Tarkina, Corvina."

Now, when were you requested to make this report? Did this take place at this date, Tarkina-on Star, 1970?

A. Yes, it would be -- it would be, sir.

Q. The Detail was a record of Commander Rik, Toby, a Centurion, Brown Commander.

A. No, sir, I didn't.

Q. And did you cause investigations as to why they were producing a record on this matter now, over three months after it had happened?

A. I could place I really Brown Commander Rik Toby to interest with Centurion, but so would be asked several months later for a report.

Q. Was it your duty serious Star, 1970, Commander Rik Toby, a Centurion, Brown Commander.

witness, but you did not raise a question with Sergeant Anderson or anyone else as to why they wanted a report after all this time?

A. I could have, but I don't recall whether I did or not.

Q. You don't recall? Would it give you any hint that you were - they were somewhat suspicious of your activities?

A. No, sir. I had no idea that they were suspicious of me at this time. No, sir.

Q. You never had that idea when they transferred you out of the anti-gambling squad?

A. When they handed me a transfer, that is correct.

Q. Well, can I read you this report, then? It is:

"FIRST AND FINAL report."

Paragraph 1:

"On Wednesday, September 9th,1959,
"at approximately 9.00 A.M.Sergeant
"J.M. Anderson informed me that he had
"an appointment with one Frank GARDNER
"of Windsor,Ontario, at Toronto, that
"date. At this time I asked
"Sergeant Anderson what the meeting
"was about and he told me that he
"didn't know, but that Mr. GARDNER
"had requested the meeting. The meeting

"place was at Queen's Quay and
"Bay Street. Mr. GARDNER was
"known to me through this Branch, as
"being an operator of the Army, Navy
"and Air Force Veterans in Canada Club,
"Walker Road, Windsor, Ontario, a Gaming
"house. This premises was raided
"and Mr. GARDNER was convicted of
"'Keeping a common Gaming House' at
"Windsor, Ontario approximately one
"year ago. As Sergeant Anderson
"thought that the meeting with Mr.
"GARDNER would concern gambling, he
"detailed me to keep observation of
"the meeting and to attempt to follow
"GARDNER.

"2. At this time Sergeant Anderson
"decided to conceal a miniature
"tape recorder on his person. Accordingly,
"this was done. A small recorder
"'Minifon P.55' was strapped to his
"leg. At first heavy twine was used
"but this would not hold it in place.
"I then procured two straps from the
"General Headquarters Garage which
"sufficed.

"3. At approximately 10.30 A.M.
"that date, Sergeant Anderson and
"myself left the Garage with two
"Department cars. Seggeant Anderson

"piano was at Queen's Quay and
"Bay Street". Mr. McCombe was
"known to be through this branch, ex-
"ploring in spectator of the Bay, Queen
"and Air Force Veterans in Canada Club,
"Silver Lake, Ontario, Ontario, a Boating
"Party. This position was taken
"by Mr. McCombe was involved in
"keeping a common Boating House' at
"Toronto, Ontario approximately one
"year ago. At Sergeant Bateman
"thought that he usually with Mr.
"McCombe had recent boating, so
"notified me to keep observation at
"the centre and to attempt to follow
"McCombe.

"6. At this time Sergeant Bateman
"decided to proceed a rendezvous
"upon recognition on his person. Accordingly,
"this was done. A small police-
"station 'B.Div' was assigned to him
"also. At first early hour the local
"bus units would not hold to in place.
"I then procured two auxiliary from the
"Toronto Harbour Police Patrol
"Launch.

"7. At approximately 10.30 A.M.
"this date, Sergeant Bateman had
"placed his Canoe with one
"Corporal (1st), Regular Harbour

"proceeded West on Queen's Quay
"to Bay Street and turned North.
"He parked on the East side of Bay
"Street, adjacent to the park,
"approximately 100 yards North
"of the Queen's Quay. I proceeded
"further East on Queen's Quay to
"York Street, and proceeded North
"to Harbour Street. I turned right
"on Harbour Street and parked the car
"on the South side of Harbour St.,
"facihg East. At this point I would
"be approximately 250 yards from
"the eofner of Bay and Harbour Streets.
"I was able to observe most of Bay
"Street because of the park. I
"observed a man contact Sergeant Anderson
"and they both sat on a bench and
"appeared to talk. This man was
"about the build of Mr. GARDNER,
"as I recall him. I am not sure, but
"it seems that Mr. GARDNER came from
"the North part of Bay Street.
"After approximately 10 minutes
"Sergeant Anderson and the man parted.
"Sergeant Anderson entered the
"Department car and proceeded north
"on Bay Street to Harbour Street and
"then West on Harbour Street towards
"Yonge Street. Mr. GARDNER walked

"across Bay Street to the West
"side and entered a dark green and
"cream auto. It appeared to be
"a Ford product. This auto was
"parked on the West side, facing South.
"I commenced to leave my parking space
"and proceeded East along Harbour
"Street to Bay Street. I felt the
"auto would proceed South to Queen's
"Quay, however, it made a 'U' turn
"and proceeded North on Bay Street.
"At this time I stopped and allowed
"two unknown cars to follow him.
"I then turned left from Harbour Street
"and proceeded North on Bay Street.
"Mr. GARDNER's auto and the one
"immediately behind him proceeded
"through the traffic light at Fleet
"Street and Bay Street. The car in
"front of me stopped for a red light
"and subsequently so did I. Upon
"crossing Fleet Street on a green
"signal and proceeding North on
"Bay Street to Front I observed Mr.
"GARDNER's car turn left and proceed
"west on Front Street. I again missed
"the traffic signal at Bay and
"Front Streets owing to congested
"traffic and did not see Mr. GARDNER'S
"car again. I attempted to find him by

"driving along Front and King
"Streets and South on York Street.
"Failing to locate him, I returned
"to the office at approximately 11.00
"A.M.
"4. I contacted Sergeant Anderson
"at the office and listened to the
"tape recorder. Apparently it did not
"record, although noises resembling
"street cars and autos could be heard.
"I asked Sergeant Anderson what Mr.
"GARDNER had had to say and he replied,
"'Not too much'. Sergeant Anderson
"informed me that evidently Mr.
"GARDNER had it in for a Mr. Joseph
"McDermott and had no ~~xx~~ use for
"him and that he wanted to
"smash McDermott's 'empire'. Mr.
"GARDNER told Sergeant Anderson
"that he would like an appointment
"with the Commissionerof Police for
"Ontario. He further stated that
"he would telephone Sergeant Anderson
"about the appointment in a few days.
"Mr. Joseph McDermott is known to
"this Branch as a gambler and one of the
"principals in the operation of the
"Center Road Vets Club, Toronto
"Township, Ontario. He was also
"suspected by this Branch as having

"something to do with the operation
"of the Army, Navy and Air Force Veterans
"Club, Walker Road, Windsor, Ontario.
"5. I asked Sergeant Anderson some
"time after he had the meeting with
"Mr. GARDNER if he had telephoned
"him about the appointment with the
"Commissioner and Sergeant Anderson
"stated that he had never heard from
"him again.
" Respectfully submitted,"
Now, that is the report that you made?
A. It is, yes, sir.
Q. And you do describe Joseph McDermott as a gambler, is that correct?
A. Yes, sir.
Q. Yes, and you also say that he is suspected as ~~being~~ having something to do with the Walker Road club in Windsor, is that not correct?
A. Yes, sir.
Q. So that you were not quite correct when you said that you felt that he had nothing to do with the Windsor club, but this was Curly Gardner's operation? What was your answer you gave me a few minutes ago?
A. I felt that ---
THE COMMISSIONER: No, that is not quite right.

MR. MacKINNON: He said it was a Mr. Brown behind it.

THE COMMISSIONER: No,no. He said Brown was their representative at the Roseland Club up there. He meant McDermott and Feeley.

MR. MacKINNON: Q. Was that it?

A. Yes.

Q. Mr. Brown was McDermott and Feeley's representative there?

A. Yes, sir.

Q. Not Curly Gardner's?

A. I say now Curly Gardner ran that club, and that this Mr. Brown was a representative, the same as what Mr. Borelli over in Niagara Falls, or talk that he was at the Lorelei Club, that he was the representative of them over there, and this is -- and this is how I passed it on. That was just gossip around the squad.

Q. I see. Well, we will come back to that tomorrow morning, witness.

---whereupon the hearing adjourned at 5:11 p.m. until 10:00 a.m. tomorrow, May 23, 1962.

VOLUMES Nos.

IN THE SUPREME COURT OF ONTARIO

BETWEEN :

KENNETH H. BROWN and JAMES T. GOW, Trustees, on behalf of themselves and all other Shareholders of Beleggings-Societeit, N.V., and the said BELEGGINGS-SOCIETEIT, N.V., as represented by the said Kenneth H. Brown and James T. Gow,

Plaintiffs.

-and-

BELEGGINGS-SOCIETEIT, N.V., as represented by W.H.J. de Boer and J.C.W.M. Huijsmans,

Defendants.

TRANSCRIPT OF PROCEEDINGS AT TRIAL.

Dates .....

Pages

Supreme Court Reporters
145 Yonge Street
TORONTO.

File Copy

Volume No. 27

Royal Commission on Crime,

Wednesday May 23/62.

P.P. 5546 —— 5784.

VOLUMES Nos.

IN THE SUPREME COURT OF ONTARIO

BETWEEN :

KENNETH H. BROWN and JAMES T. GOW, Trustees, on behalf of themselves and all other Shareholders of Beleggings-Societeit, N.V., and the said BELEGGINGS-SOCIETEIT, N.V., as represented by the said Kenneth H. Brown and James T. Gow,

Plaintiffs.

-and-

BELEGGINGS-SOCIETEIT, N.V., as represented by W.H.J. de Boer and J.C.W.M. Huijsmans,

Defendants.

TRANSCRIPT OF PROCEEDINGS AT TRIAL.

Dates .....

Pages

Supreme Court Reporters
145 Yonge Street
TORONTO.

V O L U M E 27

INDEX TO WITNESSES

INDEX OF EXHIBITS

A/1/WC

WEDNESDAY, MAY 23, 1962

---On resuming at 10:15 o'clock a.m.

THE COMMISSIONER: Are you ready, Mr. Wilson?

MR. WILSON: Yes, the officer is just trying to get the witness, Mr. Commissioner.

ROBERT J. WRIGHT, resumes the stand

THE COMMISSIONER: Mr. MacKinnon?

MR. MacKINNON: Thank you, Mr. Commissioner.

EXAMINATION BY MR. MacKINNON (Cont'd):

Q. Witness, we were discussing your trailing Curly Gardner on September 9th, 1959, and you had agreed with me that only you and Sergeant Anderson knew about this tape recorder which was on Sergeant Anderson's leg, which you had helped strap on?

A. Yes, sir.

Q. Now, Sergeant Anderson has told us that shortly after Gardner got back to his hotel, Gardner subsequently advised him he received two threatening calls. One of the calls said, "You damn fool, Anderson had a tape recorder on his leg". Now, if that is an accurate account as to what happened, I take it then it could only be either you or

Sergeant Anderson who had passed along the information about the tape recorder; is that correct?

A. I didn't pass the information along.

Q. Then, it could only be Sergeant Anderson?

A. Unless he suspected, being in the gambling business he might have suspected this.

Q. This was given as a telephone call, making a statement of fact: "You damn fool, Anderson had a tape recorder strapped on his leg". That is not a rumour or suspicion, that is something Gardner was told.

A. I see.

Q. Did you telephone anyone?

A. No, sir, I did not.

Q. Did you speak to anyone?

A. No, sir, I did not.

Q. On that date, about -- September 9th, about this tape recorder?

A. I might have discussed it with the officers in the branch, that would be after I returned to the office, but I am not sure.

Q. Why would you do that?

A. Well, we used to discuss different tasks we would do.

Q. Well, wasn't this supposed to be

a highly confidential task you were working on? Sergeant Anderson hadn't told you to tell anyone else, had he?

A. No, he didn't say not to tell anyone else.

Q. Wasn't this a highly confidential operation?

A. I don't think it was any more confidential than a lot of work we used to do.

Q. Wasn't it going to the very root of the problem bothering the anti-gambling squad, for you to get Curly Gardner in order to destroy the McDermott empire?

A. Yes.

Q. Wasn't that vital?

A. Returning to the office I recall asking Sergeant Anderson what he said. He said he didn't have much to say. We played the tape recorder and all we heard was street cars.

Q. Didn't he say he had a further appointment set up with Curly Gardner, or to meet him again?

A. I don't recall whether he told me that or not, sir, I don't recall.

Q. Now, I have your diary for September 9th, 1959, and you have:

"In 8.30 a.m., on duty in Toronto,

"general office duty. 12.30 p.m.,

"lunch. 5.00 p.m., off duty at Toronto."

And at the bottom of the page:

a couple unfortunate that you have getting and Jonathan Anderson Lohr's wife you to pick engine case, but not?

A. No, he didn't say that to Bill engine also.

Q. Didn't also a helpful conversation

A. I don't think it was only some conversation than a lot of work we used to do.

Q. Didn't it strike you the very same as the phrase Bulldog Lohr's 'Old Glory' engine, for you to pick Jonathan Anderson to be the helpful Bulldog Lohr?

A. No.

Q. Didn't time stop?

A. Concerning to the office I recall asking Jonathan Anderson what he was. He said he didn't have much to say. He picked the cage recorder and did as Jonathan Anderson asked.

Q. Didn't he say he was a Jonathan engineering and he will help Jonathan, or he will help Lohr?

A. I don't remembered whether he said he said or not, sir, I don't recall.

Q. Now, I have your sworn Jonathan Anderson, Jonathan, and you have:

"In B.P.D. e.w., on duty as Jonathan.

"Jonathan Anderson, Bulldog Lohr

"Jonathan, 5.00 p.m., off duty as Jonathan."

And at the bottom of the page:

"11.00 a.m., observed meeting with
"Sergeant J.M. Anderson and
"F. Gardner."

Now, first of all, is that your diary, are those you entries?

A. Yes, that is my diary. Yes, that would be my entry, yes, sir.

Q. That entry was made undoubtedly after the event, I suggest to you?

A. Yes, it could have been.

Q. Why?

A. Well, I didn't think it was too important, there was nothing significant came out of the meeting. In fact, I believe Sergeant Anderson told me to put the entry in my diary.

THE COMMISSIONER: Q. What?

A. I believe Sergeant Anderson told me to put the entry in my diary that I had observed this rendezvous, because I didn't think too much more about it, other than I executed search warrants at the Bell Telephone. I believe I executed them all.

MR. MacKINNON: Q. You put that in your diary. Let's look at that statement. You executed search warrants at the Bell Telephone, and the numbers are alleged betting premises. You put that in the diary?

A. There could have been ten numbers on that.

Q. You put it in?

A. Yes, that is right.

Q. Why wouldn't you put in this job that was given you very particularly to do?

A. I can't think of any reason why I wouldn't, it is just one of those things.

Q. I see, just one of those things. I will ask you about another passage ---

A. That could have been put in a day or two after. Sometimes if I was busy I would make up my diary two days later.

Q. Yes. But this diary, the entry for September 9th, so there will be no confusion, shows your entries as to entering -- when you went on duty, when you had lunch, and when you went off duty. And that obviously was made all at the same time. And this note was added as an afterthought at the bottom of the page.

A. Yes, it appears that way.

Q. That is quite obviously so?

A. Yes, it appears that way.

Q. Now, I would like to turn to October 23rd, 1959. You remember executing a search warrant on 96 Isabella Street, Toronto, on that date, in connection with raids being made in Ontario and New York State, I believe?

A. Yes, I vaguely recall that.

Q. Look at your entry.

A. Yes, sir.

THE COMMISSIONER: What does the entry say, Mr. MacKINNON?

THE WITNESS: That Sergeant Bennett, P.C. Gossen, Metro P.D. Morality, executed warrant to search 96 Isabella Street, Toronto, Apartment 44, re alleged betting premises, Results nil.

MR. MacKINNON: Q. Now, witness, the police officers who were involved in these raids, which included yourself, were soon aware that there had been a tip-off as to these searches; isn't that correct?

A. I don't know we had been aware there had been a tip-off, sir. It could have been that it was a front end and there would be -- what we call a front end, and no information relevant to betting there. Just a relay point, relay it to the back end.

Q. There were raids going on contemporaneously in New York State and Ontario?

A. There was a report like that, I don't remember the exact date that those raids were all the same.

Q. Well, let me read to you what Sergeant Anderson has told us:

"On October 23rd, 9:30 a.m.

"10.30 a.m. met with Inspector

"Walker of Metro Morality Bureau

"and informed him of the raids

"planned by the New York State

"Troopers, and requested his
"assistance in raiding places
"in city and City of Guelph
"also to be raided this date.
"After returning from seeing
"Inspector Walker, Wright
"asked for permission to leave
"the building for a haircut,
"returned with_out one."

Do you remember that, does that refresh your memory any?

A. No, sir, I often used to leave the building for a haircut.

Q. And often come back without having got one, I suppose?

A. Sometimes, because I wouldn't want to take too much time if the barber shop is crowded. Some times these barber shops, you have to wait for six or seven people ahead of you. I wouldn't wait for six or seven at any time for a haircut. Still don't.

Q. Do you now swear you telephoned no one about these raids on the time you left the office in the O.P.P.presumably to get a haircut.

A. Absolutely I never phoned no one. You mean in connection with the raids?

Q. In connection with the raids, witness.

A. No, sir.

Q. Well, by no one I mean no one, not eliminating anyone. You phoned no one and told no one?

A. Told not a soul, sir.

Q. Just want to get you on the record, witness. That is fine. And your explanation would be there would be too many men ahead of you, you didn't want to take too much time off for a haircut, and that is why you came back without a haircut?

A. Yes.

Q. Did you so explain to Sergeant Anderson?

A. I didn't have to explain to him I didn't get my haircut.

Q. You had to get permission from him to leave the building?

A. Yes.

Q. Yes.

A. It was ---

Q. Why wouldn't you have to explain to him, then, after having asked him for permission to do something, and not having done it, why wouldn't you explain?

A. That is kind of personal, that is a personal affair, going to get my hair cut. If I bought a suit of clothes I didn't ask him to buy a suit of clothes, or get a pair of socks. I don't understand you. I don't

1 understand that question.

2 Q. Well, as long as Mr. Commissioner

3 understands. Sargeant Anderson put this

4 entry in there for a purpose, and I think

5 you understand the purpose. If you are in

6 any doubt, you went out and asked obviously

7 for permission to do something you had no

8 intention ofdoing, you went out to give the

9 tip-off to the gamblers.

10 A. No, sir, that is not true at all,

11 sir.

12 Q. Now, your evidence was when you

13 started this one-man investigation of yours,

14 when Mr. Wilson was asking just why you

15 started on this crusade, at page 5058, line 21

16 to 24:

17 "MR. WILSON: Q. What was this

18 "investigation you say you decided

19 "on?

20 "A. Well, I decided to investigate

21 "leaks on the anti-gambling squad."

22 Now, was that your purpose?

23 A. Yes, sir, leaks on the anti-

24 gambling squad as well as the office of the

25 Commissioner.

26 Q. You said leaks on the anti-

27 gambling squad. Did you have information as

28 to leaks in the anti-gambling squad at that

29 time?

30 A. No, sir, I did not.

Q. Why would you be investigating something which you had no information whatsoever?

A. I was suspicious of that because of a raid going sour in Guelph, sir.

Q. Did McDermott have anything to do with Guelph?

A. How do you mean, anything to do with Guelph?

THE COMMISSIONER: Well, anything at all.

MR. MacKINNON: Q. Did McDermott have anything to do with Guelph? You understand this question. McDermott was the man you immediately contacted, you told us, and you were suspicious of a raid going sour in Guelph. What did McDermott have to do with Guelph?

A. Nothing, sir.

Q. Why were you contacting McDermott?

A. He was the alleged kingpin, and we suspected him of having operations in different clubs in the province.

Q. In Guelph?

A. No, not in Guelph, sir.

Q. What about this business of a leak involving McDermott?

A. Involving McDermott?

Q. Yes.

A. McDermott was the one I started with, he seemed to know -- In fact, Sergeant Anderson told me they have a better espionage --

the three thieves had a better espionage system than the F.B.I.

Q. In other words, it had nothing to do with the raid going sour in Guelph as far as McDermott was concerned, it was because Sergeant Anderson told you McDermott had a good espionage system?

A. Yes, and an officer and I were accused of being McDermott's stooges during a trial over in Niagara Falls.

Q. That was gone past a year and a half?

A. All these things added up in my mind.

Q. Took a long time to festur before you were going to do anything about it.

A. All these little things added up. At the time I didn't make any particular note, but I had him there under suspicion.

Q. Weren't you in a better position to investigate in 1959, you had a right, the full right, you told us, to examine the Bell Telephone toll tickets, wouldn't that be a good time to check?

A. I used to check telephone tickets, yes.

Q. Did you ever find anything?

A. I never found any records on the phone. I couldn't say all of them. A lot of the phones I checked seemed insignificant

to bookmaking.

Q. Did you investigate Scott at that time, too?

A. No, sir, I did not.

Q. You thought you would start on him once you got to Belleville and were out of the branch altogether?

A. I recall saying something to Sergeant Anderson about ---

Q. Can you answer my question?

A. What was the question?

MR. MacKINNON: Would you read the question, Mr. Reporter?

THE REPORTER: "You thought you would start on him once you got to Belleville and were out of the branch altogether?"

MR. MacKINNON: Q. And by "him" I mean Scott.

A. I didn't think I was being transferred to Belleville.

Q. You were transferred, and you told us you started your investigation, and I put that in quotes, witness, until you were transferred or told you were being transferred?

A. Yes, sir.

Q. And that is when you decided to start your investigation of these leaks in the anti-gambling squad?

A. Suspected leaks, sir, I wasn't sure there were leaks, but I had suspicions

there were leaks.

Q. And you started on McDermott first; is that correct?

A. That is correct.

Q. Let me read your evidence in Volume 25, page 5234, line 22 to 28. Mr. Wilson is examining you. He says:

"Q. It did not interest you

"any --- "

He is asking about your diary. I will go back.

"Q. You did not put McDermott

"down. You were not interested

"in implicating McDermott, were you?

"A. In implicating McDermott?

"Q. Yes.

"A. No, I was interested in

"finding where the leak was on

"the anti-gambling squad.

"Q. It did not interest you any

"what McDermott was doing, what

"illegality he was engaged in?

"A. To me, he wasn't engaged

"in anything illegal at this time.

"Q. He was not?

"A. No, sir."

What would be the purpose of investigating McDermott, vis-a-vis Mr. Scott, if McDermott wasn't involved in anything illegal?

A. I knew he was involved in gambling,

but as to proof --

Q. You didn't say anything about proof to me. He was interested in nothing illegal. Is there any equivocation?

A. What do you mean, "equivocation"?

Q. Was there any doubt? You said he wasn't engaged in anything illegal.

A. Not to my knowledge.

Q. Why were you worrying about him?

A. Because I suspected him, sir,of being involved in gambling.

Q. And then, you also told us, this is also rather unique in the evidence we have here today, that you were the one who initiated phone calls to McDermott, he didn't phone you, you phoned him; is that correct?

A. That is correct, sir.

Q. I see. Because you are aware, witness, we have had lots of evidence about Mr. McDermott and his partner Feeley initiating various overtures to various people attempting to corrupt them, you are aware of that?

A. Yes. Feeley attemptdd to corrupt me, at one ---

Q. We are going to get to Feeley. Mr. Wilson did not ask you any questions about Feeley, but I a_m going to. As far as McDermott is concerned, you offered your services to him, he didn't have to come to you?

A. Offered my services?

Q. You must have been offering him something, you phoned him up.

A. I phoned him. Every time I phoned him it was only quizzical, to quiz him, and over a period of time I would gain his confidence ---

Q. How were you going to gain his confidence, what were you going to give him to gain his confidence, witness?

A. I told him I knew about the policy of the squad. At first I tell him I maybe the squad, and later he -- something he found out I wasn't, and told me I wasn't on the squad. He is a quite a man to talk to, he is quite interesting to talk to any time.

Q. I am not interested in him, I am interested in you. How were you going to gain his confidence, what were you going to do for Mahermott to gain his confidence, not just keep him company on the telephone, I am sure. What did you say you were going to do for him?

A. Do for him?

Q. Yes.

A. I wasn't going to do anything for him.

Q. How were you going to gain his confidence?

A. Talk to him and ask him about different things in the years gone by. When I

asked him questions, and most of the times I asked him any questions he was very evasive.

Q. Now, this is what I want to get pinned down, witness.

A. Yes, sir.

Q. Just how, how you were going to gain his confidence, just by talking to him? Were you going to give him anything? Were you going to tell him anything? Just talk to him? He had talked to a lot of police officers in the past.

A. I don't know if he did, if he talked to a lot of police officers in the past, I don't know.

Q. Just how were you going to gain his confidence, how were you going to get him to reveal all to you, you weren't going to give him anything? Just by being a good listener?

A. By letting him think I was going to give him information.

Q. Now, we are getting down to it.

A. Raids on the bookmakers.

Q. Raids on the bookmaking?

A. Yes.

Q. You told him that at first, there was no point to call him again?

A. I told him in the first conversation --- It wasn't the first, it was very early in the investigation I called him.

Q. To make your offer look authentic, I suppose you told him you wanted to be paid for it, he would be very suspicious if you said, "Now, I am going to give you some information that I am sure you would like to have." You were going to get a good quid pro for it, you were going to get some compensation for it?

A. No, sir, we never discussed

A/3 compensation, because I never gave him any information.

THE COMMISSIONER: Tidy that up, the first part. You wanted him to think you were going to give him information on raids?

A. Yes, sir.

Q. How clear did you make that?

A. I told him I was on the squad and familiar with its policies and would know when a raid would take place. In fact, he first said ---

Q. Never mind what he said, what did you say? You told him you were on the squad, and what else?

A. And could give him some information.

MR. MacKINNON: Q. On raids?

A. On raids and policy.

Q. And having offered him that ---

THE COMMISSIONER: Q. That would please him, I suppose?

A. In fact, as a matter of fact, it

didn't please him.

Q. Now, he would be mad about it?

A. As a matter of fact, right from the beginning he said, "I think what you are doing is trying to get me into trouble and get the club charter cancelled out there in Cookeville".

(Page 5570 follows)

Q. Well, he did not hang up on you, I take it?

A. The first couple of times I had quite a time to talk to him and he hung up, but he talked to me about many things the same as I talked to him.

Q. I see.

A. I was trying to cultivate a more or less companionship with him.

Q. I understand these people are very "dollar and cents minded"? You say he never mentioned what your position would be or you didn't mention it either?

A. No sir, because at no time did I give him any information.

Q. Well, you were dickering?

A That's correct.

Q. You say "I have something to give you. Here is what I have. This is what I can do for you". You mean to say that you didn't say "This is going to be worth something to me. I would like so much. What are you willing to pay for it"?

A. No sir, I did not.

Q. I think this is a rather half-way job you were doing with this attempt to gain his confidence?

A. I never had any superiors to get any coaching from, like Scott did.

Q. I think you did, but I am not

worried about that. You say that you didn't take the second step after offering this information and put a price on it? Accepting your position for the moment, what did you tell him?

A. I used to tell him cock and bull stories; the squad was raiding here and raiding there and he would tell me "You don't know what's going on at all".

Q. You are not answering my question: Did you at no time suggest that this information which obviously you were trying to give him, or make it look valuable to him so you could gain his confidence, didn't you ever put a price on it to show you were prepared to be ~~respexxxxxx~~ corrupted?

A. No, sir, I did not.

Q. You just left it hanging there?

A. I was waiting for him to make an offer and he never did.

Q. As far as you are concerned this was a gratuitous offer on your part, he could have all this information free and for nothing?

A. That's correct, sir, but I never give him any information.

Q. All those negotiations and all these conversations, you never once put a price on your services?

A. Never, not at any time.

THE COMMISSIONER: Did you ever suggest he ought to pay for this?

A No sir, because I never gave him any information.

Q Mr. MacKinnon said you were dickering; you brought up the subject; I would think having brought the subject up you would say, "Now, this is worth something to you"?

A. No sir, I did not.

Q: You never said anything like that?

A. Because I got the impression when I talked to him I would have to actually do something before we - - I wouldn't ask him.

Q. You got the impression you would have to do something for him before what?

A. Before I would ever ask him for any contribution from him. He told me I didn't know as much that was going on than what he did when I told about a raid in any particular city and he would phone me a day or two later and say that they didn't raid there at all.

MR. MacKINNON: Witness, we have added up the intervals of time that you telephoned McDermott and we have it at over four and a half hours that you spoke to him over the phone in this short interval of time, which is shown in the exhibits put in by Police Constable Moore. Now, in that four and a half hours you say you never discussed any reward at all. You were

still trying to the very last to gain his confidence and offering your services, unsuccessfully?

A. To the very last, sir?

Q. Offering your services unsuccessfully?

A. Absolutely true, sir. These four and a half hours, where do you get them from?

Q. The total time you spent on the phone with McDermott from February to May?

A. Oh.

THE COMMISSIONER: That is what it was, four and a half hours.

THE WITNESS: February to May? I don't think its too long. We used to talk religion, politics; we used to discuss many things.

MR. MacKINNON: Q. Tell me some of these things you discussed, witness?

A. Yes, sir.

Q. You say in all those 42 phone calls stretching over three months - this is all the evidence we have at the present time - occupying over four and a half hours you were constantly trying to sell yourself but without success?

A. That's correct, sir.

Q. Now, what would you have to sell once you were off the squad? You admitted he knew you were off the squad and he told you he

knew you were off the squad, according to your story; what would be the point of continuing telling him day after day after day, long distance, if he had that information?

A. Because I told him that I had somebody on the squad that was giving me the information.

Q. You told him you had somebody on the squad giving you information and, indeed, you did have, didn't you, Constable Scott?

A. Yes, sir.

Q. Yes. Did you name him for him?

A. No sir, I did not.

Q. Well, you had Constable Scott eventually get in touch with McDermott?

A. Yes sir, I did.

Q. Didn't you tell McDermott who was going to be speaking to him?

A. No, sir.

Q. How would he know who was picking up the phone and calling him? He was quite prepared to accept the information Scott gave him?

A. I don't know what he did, at all.

Q. We have Scott's evidence, sworn to, in the box, affirmatively; as are you swearing you didn't tell McDermott about Scott? You have admitted this much that you gave Scott McDermott's number but you never told McDermott that Scott would be calling him?

A. No sir, I did not.

Q. As far as McDermott was concerned when Scott called him, it could have been Commissioner Clark or myself calling him?

A. It could have been, sir, yes.

Q. You did not pave the way?

A. He seemed to know, because it was a day or two later he said about giving his phone number and getting police officers to phone him up and getting him into some kind of a trap.

Q. What would traps have to do with McDermott with the cancellation of the Vets' Club charter?

A. I don't know.

Q. You said McDermott said, "All you are trying to do is get the Vets' club charter cancelled?"

A. Yes, sir.

Q. What would this have to do with the cancellation of the Vets' Club charter?

A. What would it have to do with it?

Q. You are trying to get him to accept information from you, according to your evidence?

A. Uh,huh.

Q. What would that have to do with cancelling the Vets' Club charter?

A. I don't know. That's his idea, it isn't my idea.

Q. You didn't ask him what this has to do with that? You didn't follow it up at all? You didn't question - you didn't understand his answer just like I don't understand yours?

A. He was continually making that statement.

Q. Didn't you ask him "what do you mean by this"?

A. Oh yes, and he elaborated there was a meeting going on at Queen's Park, the same as Scott told me, and they were trying to cancel the charter, and it was a bona fide club. He said we operate a good club out there.

Q. He said, "we"?

A. Yes, sir. He said, "We run a good bona fide social club".

Q. He did acknowledge that he ran the Centre Road Veterans' Club?

A. There's no doubt in my mind at all.

Q. Well, never mind that, he told this to you?

A Yes, sir.

Q. And by "we", who else did he have in mind?

A. I don't know who else he had in

mind.

Q. He had Mr. Feeley in mind, didn't he?

A. I don't know, sir. I do know now since they both pleaded guilty to keeping a gaming house out there, but at that time I didn't know.

Q. Did you say he said this on the very first call to you or the very first call you made to him? He said, "Don't bother me, you're just trying to get my charter cancelled"?

A. I don't know whether it was the first call or not.

Q. I thought you said it was?

A. Well, it could have been.

Q. And you called him in the beginning of January?

A. Yes, sir.

Q. Were you aware that the charter was coming up for cancellation at that time?

A. No sir, I wasn't aware at that time.

Q. So he couldn't have been talking at that time about the hearing at Queen's Park, could he?

A. At the first?

Q. Yes.

A. Oh, he could have been, I don't know.

Q. Well, I am telling you the hearing did not take place until February?

A. I can't understand your question, sir.

Q. You said when he - when you first called him - he said "Don't bother me, you are just trying to get me into trouble, you are trying to get the charter cancelled and there is a hearing going on, and they are just trying to get the charter cancelled", isn't that what you told us?

A. I believe I said that, but that would be on a gambler's mind all the time.

Q. So it had nothing to do with the hearing at Queen's Park, the first conversation, is that right? It couldn't?

A. It couldn't have been.

Q. He was just talking in that way, that this was in some fashion going to cancel the charter at the Vets' Club?

A. That's right, sir.

Q. And you did not ask him in what way this was going to assist in having the charter cancelled?

A. No sir, I didn't.

Q. You were just trying to gain his confidence? I presume you were trying to knock his arguments, weren't you?

A Yes, sir. I was mainly interested

in him divulging to me where he got his information which he had, because when I called him he was getting it from someplace.

THE COMMISSIONER: Q. If he was getting information from some other source there was nothing to be gained from you giving information, he was already getting it, according to you, isn't that right?

A. I don't know, sir.

Q. Well, isn't it common sense? You thought he was getting information from some other source?

A Yes, sir.

Q. I believe he said he knew?

MR. MacKINNON: He said he knew he was getting information from another source.

THE COMMISSIONER: Q. All right, he knew he was getting information from another source?

A Yes, sir.

Q. What was to be gained by you offering him the information, he already had it?

A. He didn't tell me not to phone him after I get to phone him regularly.

THE COMMISSIONER: Mr. MacKinnon, will you explore that a bit.

MR. MacKINNON: Q. Well, may we phrase this question: You say it was obvious he was

in him claiming to be where he got his information which he had, because when I called him he was speaking in first person.

THE CHAIRMAN: Q. If he was getting information from some other source, do you consider you knowing it to be accurate information, or was it merely getting it, according to you, isn't that right?

A. I don't know, sir.

Q. Well, isn't it common ground the language he was getting information from was other than mine?

A. Yes, sir.

Q. I believe you said he said to you?

MR. MACDONALD: He said he knew the was getting information not common ground.

THE CHAIRMAN: Q. And again, he knew he was getting information from another source?

A. Yes, sir.

Q. When was he to be getting it from anyone the day the interview in question and let?

A. He didn't tell me how to phone him before I got to phone him myself.

THE CHAIRMAN: Q. Something of a [illegible] was engaging than a bit.

MR. MACDONALD: Q. Well, may he phone this question. Did you ever be service of the

getting information from someone and that he had more accurate information than you had?

A. That's correct.

Q. So, it was obvious, according to your story, that your phone calls wouldn't produce anything? He already knew what you were saying you could give him,is that correct?

A. That is correct.

Q. Why were you persisting in phoning him?

A. Because I was trying to gain his confidence, too, and hoping that he would reveal to me where the source of his information was.

Q. You didn't think McDermott was stupid, did you?

A. No.

Q. You heard he has a very able and he has a very bright mind?

A. Yes, I learned that from this investigation. He was very evasive and foxy.

Q. Very evasive and foxy?

A. Yes, sir.

Q. What would make you think if he already has all he needed that he would suddenly reveal the names of his informants to you, an honest and upright officer?

A I didn't expect him to suddenly reveal anything to me; over a period of time, but by constantly talking to him I expect he

would possibly make a slip, or if I gained his confidence enough that he would volunteer it to me.

Q. Why would he have any confidence in you? You weren't offering to sell him anything. You told us that quite clearly. You never mentioned money?

A. That's right. I don't know why he would have any confidence in me.

Q. No.

A. He didn't tell me not to phone him. We get to talking about mining; he was an interesting man to talk to.

Q. Is that really the basic reason you were calling him, you were lonely down in Belleville and this was an interesting man to talk to?

A. No, sir.

Q. Why were you bothering this honest businessman who had been doing nothing illegal?

A. I didn't believe he was honest and I suspected he was an operator of the Vets' Club.

Q. Yes, but that was a bona fide social club?

A. That's right.

Q. And you were prepared to accept his word because you said to him me he wasn't

engaged in anything illegal at the Vets' Club, he wasn't doing anything illegal, apparently, you must have meant that?

A. I guess he must have.

Q. You must have? Not only did he know but he told you?

A. That's right.

Q. Then you say to him he wasn't engaged in anything illegal at that time so as far as you were concerned there was nothing illegal about the Vets' Club?

A. That's right, sir.

Q. Why were you bothering him then?

A. I was trying to gain his confidence.

Q. What good would that do you?

A. Pardon me?

Q. What good would that do you?

A. In that he would reveal to me his source of information and thereby I would know who the informants were on the squad.

Q. But if he was engaged in nothing illegal what difference did it make what information he had? Surely police officers can talk to me; I'm not engaged in anything illegal, tell me what they are doing?

A. I guess so.

Q. Why were you so concerned, then, and this is what I am interested in, this man

is not engaged in anything illegal and you know he is behind the Vets' Club, and you now say the Vets' Club was carrying on quite properly?

A. That's what he told me, and I didknow they got a bona fide charter.

Q. This is what you told us under oath?

A. Yes, sir.

Q. All right. Why were you continuing to bother him?

A. Because I was trying to gain his confidence.

Q. What good would that do you?

A. So he may reveal to me who his informants were.

Q. What did he need any informants for?

A. That's something I don't know.

Q. What difference would it make - I keep coming back to this - what difference would it make if he did have informants, on your story, how would that advance your cause?

A. How would it advance my cause? Over a period of time I would gain his confidence in hopes he would reveal to me who his source of information was.

Q. Information on what?

A. Any information with respect to leaks

in the Anti-Gambling Squad.

Q. Leaks of what? With regard to McDermott - we are discussing McDermott, remember?

A. Tip-offs about the operation of the club.

Q What difference would tip-offs make to an honest, bona fide social club?

A. I don't know what difference it would make, sir.

Q. That is right; what difference would it make?

A. I don't know what difference it would make.

Q. Why were you investigating it for, and spending one thousand dollars of your own money?

A. I wasn't investigating the club, I was investigating the squad.

Q. There would be nothing wrong with a leak which you now describe as a bona fide social club?

A. I don't think its proper at any time for a leak from the police department.

Q. With regard to a bona fide, social club, what differences would it make to a man who wasn't engaged in anything illegal at that time?

A. I don't think at any time that police information should be divulged to anybody.

Q. It wasn't too serious, this, was it? There was nothing illegal going on, the leak wouldn't be very serious?

A. That was up to him. I thought it was a serious thing.

Q. I wonder if you will tell me why you thought it was a serious thing?

A. For a policeman to relay information. I believe this is a very serious thing.

Q. I quite agree with you but I think we are talking on different tracks. Now, why is it serious in this occasion?

A. It would be no more serious in this occasion than any other case.

Q. Wouldn't it be more serious if tip-offs were given to genuine gamblers operating a gambling house, or a gaming house? That would be serious because you would be keeping them in business?

A. I would think whether that tip-off, no matter who it was to, would be a serious offence of the Police Act. I was convicted of that, that I obtained information from Scott.

B/3

Q. And gave it to Feeley and McDermott? Didn't Mr. McDermott in his address to the jury in his trial admit in his address he had got information from both you and Scott? Didn't he so state?

Q. [illegible] Mr. Kennedy, then,

was [illegible] Miami and certainly [illegible] the Sam Giancana's in your neighborhood?

A. That was my [illegible] I thought he was a gentleman.

Q. I wonder if you will tell us why you thought it was a reckless [illegible]?

A. For a policeman to make [illegible] tion. I believe this is a very serious [illegible].

Q. I quite agree with you but I believe we are talking on different levels. Now, why is it reckless to talk [illegible]?

A. It would be no more reckless to talk [illegible].

Q. Wouldn't it be more serious if Kennedy were [illegible] a gambling house? Does [illegible] to serious [illegible] you would be [illegible] in [illegible]?

Q. I realize that [illegible] Giancana, or whatever who it was [illegible], would be a serious criminal of the Chicago [illegible]. I was [illegible] Kennedy. [illegible] [illegible] Fred Smith.

Q. Who gave it to Sheriff [illegible]? Didn't it, Mr. Kennedy in his [illegible] to this jury in the world [illegible] to his [illegible] he had got information from both you and [illegible] didn't he do so?

A. I don't know whether he did or not.

Q. Well, you were there?

A Yes, it was quite a lengthy address, if I recall.

Q Do you still state, despite the fact he said "I was getting information from both Wright and Scott", do you still state you gave him any information?

A. I told you I gave him information but the wrong information, sir.

Q. You never passed on any information you got from Scott?

A. At no time, sir.

Q. Now, talking about Scott, I want to go through the reports, but before I come to him, I want to ask you about Mr. Feeley. When did you first meet him?

THE COMMISSIONER: Excuse me just a moment.

Q. Do I understand you correctly that all the time you gave him information it was all wrong information?

A. That is correct, sir.

Q. Did you think that was a very good way to gain his confidence by giving him wrong information?

A. I don't know. I didn't know until half way through the investigation whether

he would know whether it would be wrong or not, sir.

MR. MacKINNON: Q. When you started it was obvious from talking to him that he had information from some other source in the squad?

A. From the beginning?

Q. That is right. You said it was obvious? You used that expression?

A. I don't think I said from the beginning; it was obvious when I got this investigation going that he did. He told me things that were going on and told me a raid took place at so-and-so.

Q. Witness - -

THE COMMISSIONER: Excuse me just a moment.

Q. Witness, give me an illustration of the wrong information you gave him?

A. Well, sir, I would say I hear the squad raided the premises in Whitby yesterday, and he would say, "Oh, in Whitby? What is down at Whitby? I said "This would be a front end". He would say, "Whose front end?" I said, "I don't know just the name of it, I will find out for you and let you know". Then, these conversations would get into something else not relating to gambling at all. When I would call him again maybe the next day or a day later he would say, "There was no place raided in Whitby at all".

I did this constantly - not all the time - but any time I gave him information.

Q. Would this be another illustration of wrong information, you would call up and say, "I hear they are going to raid the Vets' Club tonight", when you didn't hear it at all? Would that be another illustration of wrong information?

A. I don't know whether I ever did tell him about raiding the Vets' Club.

Q. Well, search your memory.

A. I don't believe I told him.

Q. You never told him that?

A. I don't think so, sir. I don't think so.

Q. Just be careful about it now, you are here under oath.

A. No, I am sure I didn't give him any information about the Vets' Club, about it being raided.

Q. Or the Ramsay Club?

A. Or the Ramsay Club.

Q. What clubs did you tell him would be raided on certain dates that was wrong information?

A. Bookmakers, sir.

Q. Bookmakers?

A. Yes, sir.

Q. They were going to be raided on a

certain date?

A. Yes, sir.

Q. He would find out that was wrong?

A He would find out that was wrong, yes.

Q. You think that was a pretty good way to gain his confidence, giving him wrong information? He would not have any confidence inyou at all?

A. He didn't object to it very strenuously.

Q. If you keep feeding him wrong information he wouldn't have any confidence in you at all?

A. It didn't seem strange.

Q. That didn't seem strange to him?

A. If I called him, he didn't mind me talking to him at all.

Q. After you kept constantly feeding him wrong information?

A. Yes, sir.

Q. It strikes me that would be one way in which you failed to gain his confidence. He would say to himself, "That fellow Wright doesn't know what he is talking about"?

A. He could, sir. He did tell me he knows more about what's going on than I do.

MR. MacKINNON: Q. Why was McDermott interested in bookmaking?

A. We always suspected the three thieves were involved in bookmaking.

Q. Why give him any information on bookmakers with whom he had no connection?

A. My I understand the gambling fraternity is a closely knit fraternity, and I have always been under the impression they know all about each other.

Q. This information wouldn't mean anything to him unless he had a financial interest in it, would it?

A. I don't know whether he did or not. When I would tell him the information he didn't object to it.

Q. Why wouldn't you tell him about the things he was really interested in, the Ramsay Club and the Vets' Club?

A. As far as the Ramsay Club goes I remember telling him about the Ramsay Club and he didn't seem to know very much about it.

Q. How about the Vets' Club?

A. I didn't have any information on that.

Q. You had it from Scott?

A. I believe I had it from Scott on one or two occasions.

Q. Why wouldn't you give him that information?

A. Because all along I had been giving

him bum information.

Q. You were trying to gain his confidence right up to the last?

A That's right.

Q. As the Commissioner pointed out that is a strange way of getting confidence by giving him misinformation. Why didn't you give him accurate information once in a while, and you had it from Scott, why didn't you give him that?

A. Just one of those things, sir.

(Page 5595 follows)

c/1/7L

MR. MacKINNON: Q. Never thought of it?

A. No, sir.

Q. Is that right, you did not think of it?

A. No, sir. As a matter of fact, any time I called him he would do most of the talking. Sometimes I wouldn't get a chance to get a word in edgeways.

Q. Just so we do not miss this, witness: You told us the reason you started this investigation was because it was obvious McDermott was getting information from someone, there were leaks; that was the reason you started it. Now, you tell us it was not until you were talking to him for some time, apparently, that you discovered he had information. Which answer do you wish us to accept?

A. It wasn't until some time I found he was getting information. At the time I picked on Mr. McDermott it was because of that brief in St.Catharines that Sergeant Anderson and I submitted. Also, there was constant gossip and talk on the squad about the "three thieves" and getting information. That is why I started with McDermott, sir. And, also, he was suspected of being involved in the operation of the Vets Club.

Q. I am asking you about Mr. Feeley, when did you first meet Mr. Feeley? You know

Mr. Chairman, Sir. Hansard should be

Q. Yes, sir.

Q. In fact, you did use quite

of late.

A. No, sir. As a matter of fact,

but then I called him he would do most of

the asking. Sometimes I wouldn't get a

chance to get a word in edgewise.

Q. Just as it is now with Kim,

obviously. You call on the member you recognize

from Inverness and then Mr. Kim is

following, and then Inverness Cove becomes,

there were lasting long and the reason you

arrived at. Now, you call on it was not

until you had listened to him that you

approximately, that you determined to ask

indemnification. Which answer do you think is to

accept?

A. It wasn't until some time I

heard in the pitching information. At the

time I talked to Mr. Robinson it was because

of that article in the Toronto Star comparing

Robinson and I unfairly. Also, there was

considerable pressure had been on the Liberal Party

and "Save Nova Scotia" had pitching information.

That is why I approached Mr. Robinson, yes.

And, also, he was successful of being Premier

in the convention of the Nova Scotia Club.

Q. I am asking you about Mr. Pickford.

Does the fact that you first met Mr. Robinson

who I mean by Mr. Vincent Feeley?

A. Yes, sir.

Q. Did you know him by any other name?

A. No, sir, I did not. The first time I met him - I am just guessing at the year - but it would be back 1954, '55, back in there.

Q. 1954, shortly after you got on the anti-gambling squad?

A. Well, it would be the first time I was in a raid out there, I believe. Either that or it was the time he hit my car the first time. I can't remember which.

Q. When, he hit your car and you had some discussions about the damage to your car?

A. Yes, sir.

Q. Where was your car parked?

A. At my residence, where I lived, there on the street.

Q. And Mr. Feeley happened to pick out your car out of all the others in Toronto to run into?

A. Yes, sir.

Q. Did that seem to be an arranged thing to your mind?

A. Yes. I thought that was done on purpose, that he hit my car.

Q. And the damage to your car was approximately $75, or thereabouts, $85?

A. It was $75 or $80, yes, sir.

Q. And he offered you $200. Is that correct?

A. Yes, sir, he did.

Q. Did that, once again, seem somewhat suspicious to you?

A. Yes, sir, it did.

Q. And you got the car repaired and had him pay the repair bill. Is that correct?

A. Yes, sir.

Q. Now, when did Mr. Feeley next telephone you?

A. When he next telephoned me?

Q. Yes.

A. He never telephoned me again, other than when I met him to get the money off him.

Q. I am talking about after you get the money. What money, the repair money?

A. Yes, sir.

Q. After this when did he next telephone you?

A. He never phoned me again.

Q. Are you swearing you have never talked to him on the telephone, with him?

A. Since I have been charged with him, I have.

Q. Prior to May, 1960, and subsequent to September, 1954, when he paid for your car repairs, you never talked to him on the telephone?

A. No, sir.

Q. Why is there one call to Feeley from the number you used in Belleville? Do you say you did not call him?

A. No, sir.

Q. And you did not speak to him?

A. No, sir.

Q. And you did not call him?

A. There were two or three times I called Mr. McDermott and I was given a number that he would be at this number, sir.

Q. And you spoke to McDermott at that number and not Feeley?

A. That is correct.

THE COMMISSIONER: Q. Who gave you that number to call?

A. I don't know, sir. It was somebody at McDermott's number.

MR. MacKINNON: Q. Are you sure it was not Mr. McDermott who gave it to you, if you could not get in touch with him at home?

A. No, sir. I recall distinctly calling to his number -- in fact, there were two or three occasions, maybe more, he was not there and I left a number there.

Q. You were to what?

A. I left a number there to call Mr. McDermott at this other number.

Q. Now, do you also swear you never met Feeley face to face?

A. Other than at raids.

Q. Other than at raids you never met him face to face prior to your arrest and after this episode with your car. Is that what you are swearing?

A. That is correct, sir. That is correct.

Q. You mentioned he attempted to bribe you on one occasion?

A. That is the time he hit my car, sir.

Q. That is what you have in mind?

A. Yes, sir.

Q. No other occasion?

A. No, sir.

Q. You were one of the police officers he did not call in an attempt to offer money or a motel to, or something of that kind? Never had any discussion with Mr. Feeley?

A. He didn't offer me anything because I never talked to him. The only time I talked to him would be at the club when I raided it and took his name and address and particulars.

Q. Now, you mentioned that prior to retaining Mr. Rose, and since this Royal Commission has opened, you have spoken to Feeley and McDermott, and so swore yesterday a number of times, about the Commission. Why were you so willing to speak to Feeley and

McDermott?

A. Just a minute, not just the Commission. We discussed our appeal, too, sir. We just didn't discuss the Commission.

Q. You had lawyers acting for you on the appeal, didn't you?

A. Yes, sir.

Q. And you told us you were discussing the Commission at these meetings?

A. Yes, sir, as well as --

Q. What did you have in common with Feeley and McDermott? What do you feel you had in common with those two, witness?

A. I don't feel I have anything today in common with them.

Q. Why would you discuss this Commission with them?

A. As I said before, there were points they wanted me to --- they wanted to clarify in their own mind, and points I wanted to have clarified.

Q. According to you, you never spoke to Feeley. What points would he want to have clarified? You never spoke to him prior to May, 1960.

A. I think he is going to be a witness at the Royal Commission and he is also appealing his sentence, as the three of us are.

Q. Just regarding the Commission. You

spoke to McDermott last night, didn't you?

A. Yes, sir, I did.

Q. About the evidence you gave here yesterday?

A. No. As a matter of fact, he had called me.

Q. Oh, come on, now.

A. He had told me -- Do you know exactly what he said? He said, "I am glad to see somebody is up there telling the truth", that is just what he said.

Q. Mr. McDermott must have a sense of humour, as well as all the other qualities we have had described to us.

THE COMMISSIONER: Q. He was congratulating you, was he?

A. He just said, "I am glad to see you are telling the truth".

MR. MacKINNON: Q. From his point of view, Mr. Wright, you probably deserve commendation. Is that all you talked to him about?

A. That is right, sir. The call didn't last any more than about a minute.

THE COMMISSIONER: Q. Where did he reach you?

A. I had been at Mr. Rose's office waiting for Mr. Rose and the telephone rang and they said there was a call for me, and I took the call.

MR. MacKINNON: Q. You were a police officer for about seven or eight years?

A. About seven years.

Q. Did no one ever tell you when you were under cross-examination that you were not to discuss your evidence with anyone? You did not know that, I suppose?

A. I believe that has happened; yes, sir.

Q. Were you discussing your evidence then with Mr. Rose?

A. Sir, he is representing me and I feel I have a right to discuss it.

Q. You are not to talk to anybody, your lawyer or anybody.

A. Not my lawyer? I thought I could talk to my lawyer at any time.

Q. Mr. Rose did not advise you you were under cross-examination and he could not talk to you?

MR. ROSE: When?

MR. MacKINNON: Last night.

THE WITNESS: He didn't advise me.

MR. MacKINNON: Q. Weren't you talking to him last night?

A. Yes, sir, I was.

Q. About your evidence?

A. About my evidence?

Q. Yes.

A. No, sir. As a matter of fact, our

meeting was very short last night.

Q. What were you down to see him about?

A. I wanted to know how long I would be here in the witness stand.

Q. Shouldn't you ask me that question?

A. Well, I will ask you now: How long will I be here?

Q. You will be a little while yet, witness; do not get impatient. That is all you asked him about?

A. Yes, sir.

Q. Could not you have picked up the phone and did that?

A. Yes, I guess I could have, but I could go down to his office at any time.

Q. You can, but not to discuss my cross-examination.

A. I didn't discuss your cross-examination.

Q. Just how much longer you would be in the box?

A. That is correct, sir. That is correct.

Q. And to receive the commendation from Mr. McDermott?

A. No, sir. I didn't know Mr. McDermott was going to phone there. I don't even know how he knew I was there, sir.

Q. I guess he still has a pretty good

espionage system.

A. I expect so.

Q. Mr. Peeley did not call you and commend you?

A. No. They just said it was a good thing to see somebody up there telling the truth.

Q. "They" told you?

A. Well, Mr. McDermott. "They" is synonymous with the two names. I would say the three of us are inseparable and I am charged along with three (sic) gamblers for a conspiracy.

Q. I will agree with you part way, witness. I would like to come to Mr. Wright's (sic) -- or, at least, Mr. Scott's reports. And I want to tell you, now, Mr. Wilson put it to you if Provincial Constable Scott swears such-and-such, what do you say; I am putting it to you, so you will understand the area I am in and we will share our ground rules between ourselves, the matters I am going over with you Police Constable Scott has been in the box, I have put these questions to him and he has sworn positively under oath they are the truth, that you did say these things to him. You appreciate that?

A. That is what he has said?

Q. That is right. He has been in the box already and he has so sworn.

[illegible]

A. I answer no.

Q. Mr. Escher did you ever see Escher's [illegible]

A. No. That just back it has a [illegible] in one necessarily up there telling the truth.

Q. Okay. Well okay.

A. Well, Mr. McGovern. "Okay" is synonymous with the two words. I would say the times of us are temporarily and I am concerned along with those (sic) questions are a complicated.

Q. I will agree with you part way, witness. I would like to come to Mr. Escher's (sic) -- or, in Escher, Mr. Escher's opinions. And I want to tell you, now, Mr. Wilson you is to you if hypothetical concerning Escher's much-and-much, what do you deny I am quoting it to you, so you will understand the area I am in and we will agree on general rules concerning questions, the question I am going over with you relates specifically to the lion in the box. I have put those questions to Jon and to Ken Escher particularly under oath when are the truth, have you had any share talking to him. You appreciate that?

A. What is that to Ken exactly?

Q. That is right. He has been in the [illegible] and he is [illegible] in.

A. Yes.

Q. So, you appreciate that when you give your evidence, not that he may come back and may say something, but that he has already sworn these things. Do you understand?

A. Yes, sir.

Q. All right. Now, in Mr. Scott's first report, dated February the 11th, he deals with the date of February the 5th, which date you came to visit him and, then, you went to the Wallace Hotel. Do you remember that?

A. Sir, could I refer to my notes?

Q. Well, I want to ask you about items I am sure, if you said them or if you did not say them, you will have no trouble remembering them.

A. I don't want to guess when I met him. There were several times I did meet him.

Q. I am really not interested in the meeting place, it is what was said that I am interested in. You appreciate that?

A. Yes.

Q. And item No.6 is, and this is what he says you said to him:

" 'All the gamblers want to "know is the time the clubs will "be raided and the policy of the "branch'."

Did you say that to him?

A. Could I have my notes, sir, and I

would know better, sir?

THE COMMISSIONER: Let him have his notes.

Q. They are in the secret diary?

A. Yes, sir.

THE COMMISSIONER: Mr. Registrar, can you provide him with the secret diary?

Q. That is the exhibit.

---The witness is provided with documents.

MR. MacKINNON: Q. Two items, and the one is:

"'All the gamblers want to "know is the time the clubs will "be raided and the policy of the "branch'.

"'As far as bookmaking is "concerned they don't want any "information on that at all'."

Did you tell Constable Scott this?

A. This is on February the 5th?

Q. February the 5th.

A. I could have told him that, sir. I hasn't made a note of it.

Q. Well, was that true? After you talked to McDermott, all they wanted to know was the time the clubs would be raided and they did not want any information on the bookmaking?

A. McDermott didn't tell me this, sir. I just told Scott this to try and get

his confidence and let him get the impression I was in with the gamblers.

Q. You were telling Scott, on the one hand, that the gamblers just wanted to know the time the clubs would be raided and they were not interested in bookmaking; on the other hand, you were talking to McDermott and what you were giving him was information on bookmakers, wrong information. Is that right?

A. That is correct, sir.

Q. You were saying different things to each of them?

A. That is correct, sir.

Q. It is pretty hard to keep straight, then. How would you remember which one you said what to?

A. I don't recall everything I said to Mr. McDermott because I didn't make notes or -- sir.

Q. You have already told the Commissioner you did not give them any information -- or, give him any information on clubs, the raids on clubs; all you were giving him was misinformation from time to time with regard to raids on bookmakers?

A. That is correct, sir.

Q. And at the same time you were telling Scott, really, all the gamblers wanted to know is when the clubs would be raided and they didn't want to have any information

on the bookmakers?

A. That is right, sir.

Q. So, you were, in fact, misleading, according to your evidence, both Scott and McDermott?

A. Absolutely, sir.

Q. You were lying to both of them?

A. Absolutely, sir.

Q. Then, if I may move to the second report. I am not going to go over what you have already denied with Mr. Wilson, if I can avoid it. It is the February the 13th report which -- February the 18th report referring to a meeting of February the13th. Once again, at the Wallace Hotel. In Constable Scott's report he says that you showed him four one-hundred dollar bills. Why didn't you give those four one-hundred dollar bills to Scott at that time, wouldn't that have been a good way of gaining his confidence?

C/3

A. Actually, I showed him a -- one one-hundred dollar bill and a fifty and five ten's. I had the one-hundred bill wrapped around the other bills.

Q. Why did not you give him the money at that time?

A. He was not pressing me at this time.

Q. Would not that be a good way of getting him involved and getting his trust?

A. He seemed sincere enough to go along with it without my giving him any money at that time.

Q. Or, did you say, "You have to prove yourself"?

A. I may have said that just to make him think I was with the gamblers.

Q. And he said you stated in so many words:

". . .once we had developed a "trust between us, more information "regarding gambling activities would "be revealed to me."

Did you say that to Constable Scott?

A. I don't believe I did, sir. I have no note of it.

Q. You haven't a note of a lot of things; you haven't a note of many, many calls to McDermott. Are you denying you stated this, once again?

A. What was it, again, sir?

Q. That you stated:

". . . once we developed a trust "between us, more information "regarding gambling activities "would be revealed to me."

A. I could have said it. I am not swearing I did, sir, but I could have said it, sir.

Q. When, on February the 18th, in

that same report, you phoned Police Constable Wright (sic) and he says— or, Police Constable Scott, and he says this:

"He — "

meaning you -

". . . wanted to know the results "of the meeting which Sgt.Anderson "had attended on the previous "day at Queen's Park. I told him "I did not know anything about it "as the Sergeant did not discuss "it and I thought it wise not to "ask him."

Did you ask Police Constable Scott as to the results of the meeting Sargeant Anderson had at Queen's Park the day before with regard to cancellation of charters?

A. Yes, I believe, because I have a note here. He didn't say anything at the Parliament Building was hush-hush.

Q. Just answer my question. Did you ask him about the results of this meeting? Are you now telling me he told you without you asking him?

A. I would say I asked him that, yes, according to my notes.

Q. Why would you want to know this information?

A. I was very curious.

Q. Why?

A. Just for my own satisfaction. When I was on the squad the club was running, when I came on, and it was running all the time I was on, and we tried all kinds of tricks to close it.

Q. There was nothing illegal going on at the Vets Club, why would you want to know the results of the meeting, just for your own curiosity?

A. Yes. I wasn't exactly anxious; it was just as a matter of fact conversation.

Q. February the 19th, in Constable Scott's third report, -- This is a rather interesting date. In Exhibit 159, witness, which is Mr. Moore's document showing the phone calls, at 7:18 you called Constable Scott. At 7:28 you called McDermott. At 7:31 you called Scott again, about a minute after you finished talking with McDermott. Now, I think you have already admitted it was not until the final call that you told Scott that the Ramsay Club would be closed because of the snow. Is that correct? He has so sworn.

A. Yes. Yes, I had heard this.

Q. Why didn't you tell him about this if you knew in your first phone call to him at 7:18 p.m., your first phone call to Scott? Why didn't you tell him the club was closed then?

A. I probably didn't think of it at the time. The first call to him, sir, I couldn't reach him.

Q. The first call was 7:14 and it was no good?

A. I didn't get in touch with him.

Q. You called again at 7:15.

THE COMMISSIONER: To the Earl French Club.

MR. MacKINNON: Yes.

Q. And you did get in touch with him?

A. Yes.

Q. And you had a two minute and thirty-eight seconds conversation with him?

A. Yes, sir.

Q. And you called at 7:28 and called Joseph McDermott, and that lasted a minute and fifty-four seconds.

THE COMMISSIONER: Not 7:28.

MR. MacKINNON: 7:28, I have it.

THE COMMISSIONER: I have it as 7:23.

MR. MacKINNON: Not according to the exhibit. At 7:23 it was busy. It says that at the bottom of the page, Mr. Commissioner.

THE COMMISSIONER: I am looking at my notes of yesterday and I have 7:23.

MR. MacKINNON: 7:23, on Exhibit 159, is shown at the right hand bottom corner and says it was busy at 7:23.

THE COMMISSIONER: I see. That is correct.

MR. MacKINNON: Q. It was after you talked to McDermott that you, then, called Scott and told him the Ramsay Club would be closed that night. Isn't that correct?

A. I don't know. I would be just guessing, if I was talking to McDermott. The reason I advised Scott I had heard on the police radio the highways were blocked, it was a very, very severe snow ~~xxxxx~~ storm.

Q. You were not on the police radio between 7:20 and 7:23, witness.

A. I don't know whether I was on the police radio. This snow storm had been coming; we expected it in Belleville at the time.

Q. Your story is you just overlooked telling him about it in your first telephone call and it is just coincidence that after you called McDermott you immediately, within seconds, called Scott and told him the club would be closed; this is pure coincidence?

A. Yes, just coincidence.

Q. McDermott did not tell you the club would be closed because of the snow storm?

A. No, sir.

Q. You talked to him for a minute and fifty-four seconds?

A. I could have, sir. In fact, I probably called him, then, to see if he had any information that the club was going to be

raided.

Q. You had a code worked out with McDermott that you used the name "Adams"?

A. A code with McDermott?

Q. Yes.

A. No.

Q. You gave the name Adams on your call to McDermott that night.

A. I gave the name Adams?

Q. Yes.

A. I don't know why I would give the name Adams.

Q. That was a code name you were using?

A. No, I wasn't using a code name Adams at all.

Q. You did use the code name Adams with Scott?

A. Yes, I believe I did. When I called him I could have said "Adams".

Q. It is possible you were using the same code name with McDermott and with --

A. Well, --

Q. -- Scott?

A. There was no arrangement with McDermott at all for me to use a code name, it just happened to be when I called I said "Adams".

Q. It happened to be a person-to-person call, this first one, and you had to give a name. Is that correct?

not.and.

E. [illegible] a just normal sun [illegible]
[illegible] and [illegible] Jim [illegible] "[illegible]"

A. I [illegible] [illegible]

B. [illegible]

A. [illegible]

C. You guys [illegible] [illegible] [illegible] on [illegible]
[illegible] to [illegible] [illegible] [illegible].

D. I [illegible] [illegible] Adam.

E. [illegible]

A. I don't [illegible] [illegible] a world [illegible]
and [illegible] Adams.

B. That was a [illegible] [illegible] [illegible]
[illegible]?

E. [illegible] [illegible] a [illegible] [illegible]
Adam at all.

C. You [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible].

A. [illegible] I [illegible] [illegible]
called [illegible] I [illegible] [illegible] "[illegible]".

E. [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] and [illegible] --

A. Well, --

E. -- [illegible]

E. [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]. It
[illegible] [illegible] [illegible] [illegible] I called I [illegible] "Adam".

A. It [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

A. This is to who, sir?

Q. To McDermott, 7:28.

A. I don't know, sir. I can't recall if it was a person-to-person. I don't think I called person-to-person.

Q. No, you were very wise. Usually you did not. This may have been the only occasion you called person-to-person and, of course, they asked you your name then, don't they, particularly if the phone is busy and they have to call you back? Isn't that correct?

THE COMMISSIONER: Q. Well, that is common knowledge, witness.

A. I think so; I am not sure. I am not sure whether -- I know if you call collect they ask your name but I don't know whether when you call person-to-person.

MR. MacKINNON: Q. You were using the name Adams on February the 19th. Is that correct? That could be?

A. It could be, yes, sir, because I do recall Scott, I called him, I told him my name was Adams.

Q. We have this Adams in Exhibit 159 as of February the 19th with reference to a call by you to McDermott. On March the 13th - I am going ahead for a minute just to take you to your own diary, or notes, whatever you call them - Sunday, March 13, page 9.

When you met with Police Constable Scott at the Bel-Air Hotel. You will see about six lines down in March 13 you have:

"He said he would use a fictitious "name. Axeman was agreed upon. I "was to use name Adams."

That is the first reference in your so-called diary as to the use of fictitious names. Isn't that right, witness?

A. Yes.

Q. Yes. That is some considerable time after February the 19th. That is March the 13th, isn't it right?

A. That is correct.

Q. That is an accurate recording of the date. And you suggested the use of these names?

A. I believe he suggested the use of these names.

Q. Are you suggesting -- Be very careful.

A. I am not swearing because we agreed upon it together.

Q. Who mentioned the name "Adams"? Are you suggesting Scott just happened to hit on that name you had already used with McDermott?

A. Oh, I would say it was by chance, the same as Axeman was by chance, sir; the same as he used to say he was Joe Banana calling.

when you met with Sylvia Gonzaga about an hour-and-a-half before. You will see about and listen down in Bucks if you never

"He would be worth use a Kordikian

"Sure, [illegible]

was to use them [illegible]."

That is the Xtree rudiment in your co-called story as to the use of Kordikian [illegible]

A. [illegible]

Q. Yes. That is some consideration when [illegible] Kordikian [illegible]. That is [illegible] [illegible]

A. Sure is correct.

Q. There is no accurate recollecting of the date. And you suggested the [illegible] [illegible]

A. I believe he suggested the [illegible] [illegible]

Q. [illegible]

A. I am not [illegible] because [illegible] [illegible].

Q. [illegible] "Aldrich" [illegible] you suggested [illegible] [illegible] [illegible] Kordikian?

A. Oh, I could say it was by chance, since the [illegible] Aldrich was by chance, since the [illegible] [illegible].

Q. We are down to Adams, we can forget bananas. You mentioned the name Adams to Scott; you said, "I will use the name Adams"?

A. I wouldn't say I made it or not because we arrove at that conclusion, the two of us.

Q. And you would not want to swear that you did?

A. No, and I wouldn't want to swear that I didn't.

Q. You do swear you told no one about this code. Is that correct?

A. I didn't tell anybody about the code, just Scott, the two of us.

Q. McDermott wouldn't know about the code or the name you were using?

A. Oh, no, sir; not to my knowledge.

Q. It was just a slip of the tongue on February the 19th when you used the name Adams?

A. It probably is. If I can recall, too, when I did call Scott I think he did make that name up because he asked me if I would use a fictitious name when I called his home because he was living in a room.

Q. This is March the 13th and this is the first entry you have about the use of fictitious names, and it coincides with Scott's evidence, and that is three weeks or more after

Q. Do you know Mr Adams, the con-
fidential secretary. The confidential job you have
in Moscow, you call, I will say the same
thing?

A. I wouldn't say I made it my
business to review all that conversation, the
one of us.

Q. And you would not want to answer
what you said?

A. No, but I wouldn't want to answer
what I didn't.

Q. You do remember you told me a
very long story. Is that correct?

A. I didn't until anybody shows
me cable, just South, the one of us.

Q. Otherwise [illegible]
[illegible]

A. No, sir, I'll not go to Moscow.

Q. It was just a slip of the tongue
on February the first when you said the same
thing?

A. It probably is. If I was thinking,
too, when I did call Moscow I think in the
cable that came up because he asked me if I
would use a pseudonym when I called.
His name happens to be Alfred in a word.

A. This is where the life and death
in the first story you have about tongue of
Hartfiend Hawes, and it contradicts with Smith's
testimony, and then it comes down to one other

the time when you had used the name on a call with McDermott. Do you still swear you had no arrangement with McDermott about the use by you when necessary of the use of a fictitious name?

A. No, sir, never at any time, sir.

Q. Then, on February the 22nd Scott has sworn that you telephoned him on that date and inquired if any suspicion had been aroused when the anti-gambling squad went to the Ramsay Club on February the 20th and found it to be closed. Did you so inquire of Police Constable Scott?

A. I asked him -- Yes, sir, if there was any talk with the boys about the club being closed the other night. Yes,sir.

Q. You asked him if there was what?

A. I asked him if there was any talk with the boys about the club being closed the other night.

Q. Why were you interested in that?

A. I don't know why now, sir, just something to talk about to him.

Q. You were not seeking information for anyone else, you say?

A. No, sir. No, sir.

Q. Just idle conversation?

A. Pardon?

Q. Just idle conversation?

A. Yes. We had several idle conversations, sir, Scott and I.

Q. Then, on February the 24th you phoned Constable Scott and he states this:

"P.C. Wright wanted to know the "names of the officers who "conducted the raid on the "premises of one - Sammy BALSOM "of St.Catharines, which raid "resulted in BALSOM being "convicted of keeping a common "betting house."

Did you ask him the names of those officers?

A. I could have, sir.

Q. Why would you want that information?

A. Because we had -- As a matter of fact, both of us were discussing between the two of us about other -- by the process of elimination of other officers that might be on the squad that were giving tip-offs. That was one way I thought of. Different raids, sir, that had taken place and I would ask who the officers were and try to arrive at a conclusion.

Q. Sammy Balsom was convicted, apparently. Why would you want to know the names of those officers?

A. Well, the officers who had been

on the raid, sir. The officers who were on the raid I would suspect they could have been ones giving information, sir.

Q. How would that be so? If they convicted him, obviously, he had not been given the off. I do not understand your reasoning, witness.

A. Well, because I wanted to know because I had heard this story about officers on the anti-gambling squad giving information to Sam Balsom over in St.Catharines, and Scott and I discussed it several times, even though he didn't make a note of it and I didn't make a note of it.

Q. All right. We will move on to February the 29th, the second paragraph on the first page of that report:

"P.C. Wright stated that he had
"been informed that information
"was being forwarded to Sammy
"BALSOM who in turn was farming
"it out to those who required
"it."

Did you so state to Police Constable Scott that you had been so informed?

A. Yes, I do recall telling him that. I did hear that Sammy Balsom was getting information; that is right, sir.

Q. Who had informed you at that time of this?

A. At that time?

Q. This is February the 29th. The implication in this is that you got that information very recently, since the last phone call. Now, who did you get that from?

A. I got this information from Mr. Cronin, Sergeant Cronin, sir.

Q. Between February the 24th and the 29th?

A. No, sir. I had got this information when I went down to borrow the money off Sergeant Cronin.

Q. Well, I will be coming back to Sergeant Cronin. But, that is your story, the information you were referring to here came from Sergeant Cronin -- or, ex-Sergeant Cronin?

A. That is correct, sir.

(Page 5625 follows)

Q. Then, Constable Scott also states this, on February the 29th, that you informed him that one Albert Iannuzzelli of Niagara Falls was looking into the possibility of opening a gambling house in St. Catharines. Now, is that correct?

A. No, sir. I did not tell him that.

Q. You so state - swear positively?

A. Absolutely I do. Yes, sir. We did talk about different gamblers having different interests, but never names, because I didn't know and he didn't know, I would think.

Q. You never mentioned Albert Iannuzzelli?

A. Not if it is about - about opening up a gaming club, no, sir.

Q. In St. Cathnrines?

A. No, sir.

Q. Well, he said P.C.Wright said Iannuzzelli has already approached the St. Catharines' police department with regard to protection. Did you tell him that?

A. No sir, I did not.

Q. Then, you have already been asked by Mr. Wilson as to the next paragraph, but the last sentence was not dealt with. The first sentence has to do with the hearings at Queen's Park, and the fix was on at Queen's Park, and then you deny that you said anything

like that?

A. Absolutely sir.

Q. Then, the next sentence, "He said", that is you, "that the charter was due to be cancelled but someone in the Department of the Attorney General had blocked the proceedings."

Do you now swear you made no such statement?

A. No, sir, I did not.

Q. So it comes down in these matters, all these things, either you are lying or Police Constable Scott is lying, is that correct?

A. I wouldn't say that, sir. I believe Constable Scott made a lot of this stuff up.

Q. Well, then, he is lying when he said you said it?

A Yes. Yes.

Q. You know what a lie is, you have gone over that with Mr. Wilson?

A. That is correct.

Q. It is either you or he?

A. Well, I am telling the truth, I will tell you that right now, sir.

Q. You have said that a number of times. Then he also goes on to say that you said you personally knew the names of some officers on the Toronto Morality Squad who were looking after the betting establishments in the Lakeshore Area?

A. And that is absolutely nonsense, sir.

Q. You didn't say anything like that at all?

A. I didn't say anything like that, sir. I think very much of the Toronto Metro - Metropolitan Morality Squad. They are very efficient.

Q. So you never had any such conversation with Constable Scott?

A. No, sir.

Q. Then he also states that on that same date, February the 29th, after you handed him money, that you said that as follows: "that in time we could get more money but the important thing was that we had started giving them some accurate information."

Now, did you say that to Constable Scott?

A. I don't recall saying that, sir. I didn't make a note of it.

Q. Well, we already know about your notes. Now, do you say that you did not tell him that?

A. I do recall him asking me for more money. I do recall that, sir, because he continually was asking me for more money. He said that look-outs were getting more money than we would be getting.

Q. Well, that is sort of strange,

when you showed him money initially you said that he didn't ask for any of it, but you say subsequently he got more eager to have money, did he?

A. Yes, sir, he did.

Q. I see.

A. Yes, sir, he did.

Q. Well, you say that the important thing was that you had started giving them some accurate information?

A. No, sir, I did not.

Q. You did not?

A. No, sir.

THE COMMISSIONER: We will have a ten minute recess.

---Short recess.

MR. MacKINNON: Before I go on to Police Constable Scott's fourth report, will you tell me once again how you knew McDermott's telephone number?

A. How I knew it?

Q. Yes.

A. From checking telephones, sir.

Q. Well, did you keep these things in your memory? According to you, you checked hundreds of telephone numbers?

A. Yes, sir.

Q. You just had it in the back of your mind?

A. I knew the telephone number was in the office there.

Q. Well, when you first - according to your evidence the other day, when you first called McDermott it was - and Mr. Wilson asked you how you knew the number, you said that you had remembered the number, remembered it from previous examinations, is that correct?

A. That is right, sir.

THE COMMISSIONER: What was Mr. McDermott's phone number?

A. - - Crescent 8 - - Crescent 8-3873, I believe it was.

MR. MacKINNON: No, you are a little off. 3783, I believe.

THE COMMISSIONER: Your memory is not so good on telephone numbers.

MR. MacKINNON: No, you couldn't remember your own telephone number when Mr. Wilson was going over it with you the other day, but you did remember Mr. McDermott's number?

A. Well, sir, the number had been checked, sir, and there was a record of it in our office.

THE COMMISSIONER: But you were not in the office, you were at Belleville?

A. Yes, sir, but I was at the office when I got his telephone number off the records,

or off the sheets.

MR. MacKINNON: You are now telling us you got it off the records?

A. Yes, sir. Remember I called him in January, and I wasn't in Belleville until the 15th, sir.

Q. I see. So, that is how you explain that, it really wasn't from your memory, that you went to the records and found out McDermott's number, is that what you are now saying?

A. Yes, sir.

Q. And that is - why did you tell Constable Scott, I take it, what McDermott's number was? He wouldn't have known himself? He couldn't have checked the records?

A. I felt that he should have known the number. When I gave him the number I expected him to make some comment.

Q. But you gave him the number and told him to call it, didn't you?

A. Yes, I did.

Q. Well, if I can go on to the fourth report, on Thursday, March the 3rd, you telephone Constable Scott, and you inquired about the raid on the Vets' Club of that date, and Constable Scott goes on to say:

"I informed him that the door at the "Club was opened in about 30 seconds and

"to my way of thinking this was
"too fast and might give rise to
"suspicions. P.C.Wright stated that
"he would look into this matter,
"seeing that the proper people were
"advised."

Now, did you so state to Police Constable Scott that you would go into the matter and advise the proper people that they were opening the door too fast?

A. Yes, I have a note of it here, that he said the door was opened pretty fast, 30 seconds. He said that was too soon, because any other time it is at least a minute.

Q. And did you tell Mr. McDermott this?

A. No, sir, I didn't.

Q. It is just purely coincidence that thereafter they did take a little longer to open the doors?

A. Yes, sir. When we used to raid that club, sometimes they would open it in a hurry, sometimes they would be slow, sometimes a delay of two or three minutes, if I can recall.

Q. And we have been advised that thereafter the delay was approximately 50 seconds, after this, and you say - 50 seconds to a minute. You say it was purely coincidence that after this date they didn't open the doors so quickly?

A. Oh, yes, sir.

Q. You didn't advise anyone?

A. No, sir.

Q. You told Constable Scott that you would advise the people concerned?

A. Yes, sir, I did.

Q. But you were lying to him?

A. Yes, sir.

Q. And on this occasion, according to Exhibit 159, you phoned McDermott just three minutes after speaking to Constable Scott?

A. I could have, sir, yes.

Q. What did you talk about on that occasion?

A. Well, I don't know what we talked about. It would have been one of our typical conversations and I was hoping that he would - I was hoping that he would tell me that the place had been raided, and something to that effect, and I don't recall whether he did tell me or not, sir.

Q. You talked to him about 5 minutes and 48 seconds, but you didn't tell him that they had opened the door too fast, and they better look after that little problem?

A. No, sir, I didn't.

Q. Although you must admit that information would be pretty fresh in your mind, having - having spoken to Police Constable Wright(sic)

just a couple of minutes before?

A. Yes, it would be in my mind. That is probably why I called him, to see if he would tell me he had been raided. Probably Scott was lying to me.

Q. What difference would it make if he had told you they had been raided? What kind of information were you going to get in that kind of conversation?

A. Well, over a period of time I hoped to gain Mr. McDermott's confidence and he would reveal to me who his - who his contacts were.

Q. But it might have been a good way of gaining his confidence if you had told him then, 'look, I have been talking to Scott, he says that you are opening the door too fast, you are making it obvious that the off has been given'?

D/2

A. It could have been, sir.

Q. Yes, but you didn't think of it?

A. No, sir.

Q. Although you just finished talking to Scott about this, and you just finished giving him an undertaking to Scott that you would tell the people concerned? You had admitted that?

A. You better repeat the question to me. You are going too fast.

Q. You had just finished talking to Scott, and you had just finished assuring him that you would tell the people concerned?

A. Um,hm.

Q. They were opening the door too fast?

A. Um,hm.

Q. And yet - and then you turned around and phoned one of the people concerned, didn't you? McDermott?

A. I phoned McDermott, yes sir.

Q. Yes, and he was one of the people concerned? You have already told us that he was one of the promoters, the backers, and operators of the Yets' Club?

A. Yes, he was an operator of the Yets' Club.

Q. Yes.

A. Yes.

Q. So you called - carried out your undertaking to explain - of advising one of the people concerned?

A. Yes, sir.

Q. But you didn't? You never informed him? You didn't do that? You didn't think it was the best?

A. No, sir. As I say, when I phoned, I was hopingthat Mr. McDermott would tell me that the club had been raided, because this

Constable Scott could be just telling me a story.

Q. And all through this time, all of these 44 or 46 telephone calls to McDermott, you never made one entry in your notebook, not one, about the calls to McDermott?

A. No, sir, I didn't.

Q. I suggest to you that the reason you didn't, was because you thought that the police would never be able to trace those calls, isn't that right? Never know anything about it?

A. I knew the police could trace the calls, sir.

Q. Even though you wandered all over the City of Belleville to do it?

A. Yes, sir. There is toll tickets kept for telephone booths, sir. I knew that.

Q. But you wandered all over the City to do it?

A. I didn't wander all over the City.

Q. 85 of these calls were made when you were off duty, or on meal hours? Yes, 85 out of 92?

A. Um,hm.

Q. Now, and the reason you gave, the excuse on cross-examination, you were on duty in your patrol car, and you might be anywhere in the City, but that is not so, is it? You were not on duty?

A. I don't know the reason why. It was just one of those things.

Q. The only explanation is, you were making it difficult or impossible for anyone to trace those calls, isn't that the answer, or if the calls could be traced, there was no way they could be traced to you? Why didn't you use one phone? Why did you have to use 14 different ones?

A. I don't know.

Q. Spread all over the City of Belleville?

A. I may have been going by the phone, or I may have been going someplace. There is no - -

Q. You could have been. Why didn't you use the phone at home?

A. Because I didit want my wife to know I was doing investigation. I didn't used to tell her when I was on the squad what we did from one day to the next, sir. That was our policy.

Q. Why didn't you use the phone booth outside your home?

A. I believe I did use it, a pay phone outside my house.

Q. Very infrequently?

A. I don't know how often.

Q. Well, we have got the numbers here, so the explanation that you were on duty and would be round in the city or in various areas, does not hold water, does it, as an explanation as

to why? The reason they were spread all over the City? Could I have that?

A. Well, when you are making a telephone call, sir, do you use your phone in your home?

Q. Yes, I use my home telephone, sir, as I have got nothing to hide.

A. And I hadnothing to hide, that is why I used all the telephones.

Q. I have here Exhibit 161, which shows where your home is, and it shows where the Ontario Provincial Police headquarters are, and shows where the various booths are located all over the place that you used, and you say it is just - you really cannot explain it, when you were off duty you might have been wandering anywhere around the city, and you happened to be just where you made your calls?

A. That is absolutely correct, sir.

Q. All right. What was wrong with the phone booth that you would phone Scott from, that you had to shift to another one a minute later to phone McDermott?

A. I don't know. I can't recall of anything that was wrong with it, sir.

Q. Well, why would you shift? Was it because you didn't like the shape of the phone or something in the booth?

A. Maybe it could have been that.

Maybe that the operator was listening on the line, and I didn't want her to hear any conversation.

Q. This would be the Scott call that you were making?

A. Yes.

Q. Why couldn't they listen on the line in the next booth?

A. They could have.

Q. Well, that is not a very good explanation, is it?

A. Well, sir, I can't explain. I used so many different phones.

Q. There is only one explanation we come down to, isn't it, witness, that you were trying to avoid detection?

A. No, sir, I knew that the phone tickets could be traced, sir. I used to do that work, sir, I know.

Q. Why would you shift from one booth to the next two or three times?

A. There is nothing I can think of about the time. As I say, maybe I thought the operator was listening.

Q. You hung up for one call, wouldn't you?

A. Yes.

Q. All right, you might get a different operator completely when you called again?

A. Maybe something different, the

phone sounded funny or something, I don't know.

Q. There was something funny all right. I suggest not in the phone, but in your conduct?

A. No, sir. I would think I am entitled to use any telephone I like, if I am paying for the calls.

THE COMMISSIONER: That is right.

A. Well, if I was downtown, and I wanted to make a phone call at a pay phone, I am not going to drive to Oakville to make the call, wherever I am I am going to use the phone.

MR. MacKINNON: I would have thought so. Apparently you drove across - way across the city on a number of occasions to make your calls?

A. Because this reason would be I was going by the phone, sir. Maybe there is a cigar store handy there, and I wanted to get a package of cigarettes.

Q. But the only reason you can give for shifting so many times from one booth, after you called Scott, and then you go within minutes to another booth to call McDermott was because the operator ~~y~~ might have been listening in?

A. Yes.

Q. So you wanted to change the scenery?

A. Yes.

Q. Why?

A. I couldn't explain why. It is one

of those things.

Q. We have heard that expression a lot of times.

THE COMMISSIONER: Mr. MacKinnon, give me credit for some common sense.

MR. MACKINNON: I am trying to get this on the record from this witness. He has not been asked about it, and I just want to know what his explanation is. His explanation on a number of occasions has been 'it is one of those things'.

We.., witness, on March the 9th, Constable Scott swears that you phoned him, and he says as follows:

"P.C.Wright talked of the gaming
"house that might start in the City
"of St. Catharines, saying, that
"his contact had said that he was
"offered a piece of it and that if he
"decided to take it, we might get 'cut
"in' (by way of furnishing protection)"

Did you have this discussion with Constable Scott?

A. I didn't make a note of it, but I could have, because I recall there was discussions about this alleged club in St. Catharines.

Q. Well, how would you know

on phone tapping.

Q. Do there seem to be a lot of fibres.

MR CHARLESWORTH: Mr. Westlawson, please do consult her own counsel here.

MS BRIGGSTON: I'm trying to get this in the proper form with this witness. It has not been agreed that, and I just want to have some kind of qualification for this evidence as a matter of instructions for them. Is it in the form of phone tapping?

Mr. Westlawson, do bear with me. Presumably Jerold Jerrold knew that her phone had been and had been an intercept.

"WILLIAMSON Rating of the phone

"Some time might every be the time

"of TB. Conversation, Lynsey, Mum.

"Will Lennon has said what he was

"offered a price of 1k and then 1K ha

"Question for Tuesday 2K, we might get "you

"to" (by way of Shawshanking yourself)"

Did you have this discussion with Jerrold Jerrold?

A. I didn't know a lot of it, but I could have, because I would always discuss things with Jerrold right in the middle.

Q. Well, how would you know

about this alleged house in St.Catharines?

A I heard from McDermott that he had heard from somebody else that there was a club going in St.Catharines.

Q. Mr. McDermott told you he had an interest in this club?

A. No, sir.

Q. You say he didn't, but he was the contact you were referring to in this conversation, wasn't he, because he was the one that told you that?

A. Yes, but he could have told me prior to this. I just dont know when he told me.

Q. All right. You said, and Police Constable Scott has sworn to this, that the contact had said that he, that is McDermott, was offered a piece of it. Now, did he tell you this?

A. No, sir.

Q. This was something you had made up, sort of to embellish the story, is that right?

A. That is right, sir.

Q. You may have told him there was a gaming house that might start in St.Catharines, and then you added to that information that McDermott had been offered a piece of it, and if he saw fit - if he did take a piece of it,

about this alleged fracas in St.Catherines?

A. I heard from Hammond that he had had words from somebody else that there was a row going in St.Catherines.

Q. Mr. Hammond told you he had an argument at his place?

A. Yes, sir.

Q. You say he didn't, but he was the person you were referring to in this conversation, wasn't he, because he was the man that told you that?

A. Yes, but he could have told me prior to this. I place such from when he told me.

Q. All right. You said, and Police Constable Scott has sworn to that, "that the prisoner had told them by that he (Hammond) had filched a pound of it. Now, did he tell you that?

A. No, sir.

Q. This was something you had made up, some of to complain the story, is that right?

A. That is right, sir.

Q. You say have had the fracas was a quarrel between that night about St.Catherines, and then you added to that information that Hammond had been offered a pound of it, and if he was 1?? - if he did have a pound of it,

you fellows might get out in for protection?

A. Yes. I could have told him that. Yes, sir.

Q. That was just, once again, to make it look more authentic, was it?

A. Absolutely. That is what I wanted to plant in Scott's mind all along, sir.

Q. Then, on Saturday morning, the 12th, you once again phoned Police Constable Scott, and you said that you had not got the message of the previous night in time, that was a message to do with there being a raid the previous night, and then, going on in Scott's statement, "he further stated", that is you,

"that his contacts were shook up
"about the raid. He asked if
"everything was clear for the weekend.
"I replied, 'yes'."

Now, did you have that conversation and advise him your contacts were shook up about this?

A. I never told him my contacts were shook up, sir. I may have indicated my feelings, that I was shook up, but I never gave an indication about anyone else being shook up.

THE COMMISSIONER: Why would you be shook up?

MR. MACKINNON: Yes?

A. Well, I just wanted to know if

there was a raid, and he didn't tell me about it.

MR. MacKINNON: Q. Well, he had told you about it? He left a message for you? He says that he had left a message for you? You didn't get it?

A. Well, if he left a message, and I didn't get it, I didn't know then.

Q. But you didn't say that your contacts were shook up?

A. No, sir.

Q. You just told him, in any event, that you were shook up?

A. That is correct, sir.

Q. And what were you shook up about?

A. I wasn't shook up.

Q. Well why - - -

A. I just wanted to give him that impression, that I was shook up.

Q. Well, why? What bearing would that have on the problem between you and Scott, that you were shook up?

A. There was a lot of things, sir, that to me had no bearing.

Q. No, but you were trying to con Scott, according toyour - - the way you tell it?

A. That is right, sir.

Q. How would this assist you in that job, by you being shook up?

A. Well, there must have - there was

a reason at the time, but I don't recall now what it was exactly. That is quite a while ago. I didn't make a note of it, sir, at the time.

Q. So your reason - you cannot recall the reason why you would give him the impression you were shook up?

A. That is correct.

Q. Now, I want to go to Sunday, March the 13th, and that is the date when you made the arrangements as to the code names you were going to use, and that is when you were in the Bel-air Hotel in Belleville with Police Constable Scott, that is correct, is it not?

A. Yes, sir.

Q. And you were together for about 5 hours, or 4 and a half hours, according to Constable Scott? He has sworn that you arrived at 12:30 a.m. ?

A. I didn't make a note that we were there very long, or how long we were there.

Q. Well, you would not disagree if he stated that you were there approximately 4 and a half hours, that you discussed matters?

A. No, I would not disagree, no, sir.

Q. And that was in the early morning hours, was it? Around 12:30 a.m. to 5:00 a.m.?

A Yes, sir.

Q. Yes. All right. Now, he has sworn, and I want you to listen carefully, he has already sworn that you advised him of the following matters:

"(a) a person by the name of "Niccoleti from the United States "controls the Ramsay Club at Niagara "Falls. Niccoleti is an agent for "one of the principals of the Mafia, "who is at the present time serving "a gaol term for participating in the "Apalachin meeting."

Now, did you so state to him?

A. I recall there was a discussion about this Niccoleti. It was he - he was on this brief that we had received from the squad - on the squad, and it names this man by the name of Niccoleti as being a principal of the Mafia. It was right in the brief, and that is how we got discussing it. I don't know, sir.

Q. Well, did you tell him that Niccoleti from the United States controls the Ramsay Club, and he is an agent for one of the principals of the Mafia?

A. No, sir, I didn't tell him that he controlled the Ramsay Club. The brief said that he was one of the principals in the Ramsay Club.

Q. Yes. All right. Now, he has answer, and I want you to listen carefully, he has already made that you entered into at the following meetings:

"(a) a person by the name of

"Lucchese from the United States

"accepts the Lucky Club of Milano

"Italy. Lucchese is an agent for

"one of the gangsters of the Italian

"who is at the present time serving

"a jail term for prostitution in the

"Annunziata district."

Now, did you do anybody in that?

A. I recall there was a discussion about this business. He was by - he was on some round that we had received from the agent - on this agent, and it seems that man by the name of Lucchese is being a gangster of the Italian. I was right in the history and that he has an gangsterising it. I don't know, sir.

Q. Now, did you call this from discussions from the United States concerning the Lucky Club, and he is an agent for one of the gangsters of the Italian?

A. Yes, sir, I didn't call him that he connection the Lucky Club. The United said that he was one of the gangsters in the Lucky Club.

Q. Did you tell him that Niccoleti was an agent for one of the principals of the Mafia who is at present time serving a gaol term for participating in the Apalachin meeting?

A. I - there was a discussion to that effect, and I do recall a conversation I had with the New York State Police and we used to converse about different principals in gambling in the United States in their area, in their territory. Now they could have told him that, or it was from the brief, sir.

Q. That is not my question, witness. I said did you tell Constable Scott this, as he has sworn to it?

A. I could have. I could have. We both discussed it.

Q. And you say you got that information, now was it from the New York State Police, not from McDermott?

A. Oh, no, sir. I think it was either that, or from this brief. It was right on the brief. In fact, there were other principals, I don't know what their names were, sir, that were mentioned.

Q. Then he says you said:

"The gaming house at St.Catharines is "definitely going to open up, with the "Thieves, (Joseph McDermott, Vincent "Feeley) having an interest."

A. No, sir, I didn't. No, sir.

Q. Why wouldn't you tell him that? What would be so wrong about that?

A. Well, I just told him that - -

Q. You lied before?

A. He just made it up. We talked about - we talked about the St.Catharines Club several times.

Q. You seem very anxious not to involve Feeley and McDermott in anything that might be a little bit shady? Why not?

A. No, sir. No, sir.

Q Why wouldn'tyou mention it?

A. I would think they are good and involved right now with this Royal Commission.

Q. I would think they are indeed, but I am just interested in why you would not have told him this, you had already told him, you said you concocted this story earlier on about the St.Catharines Club going to open up, and said McDermott had told you that, and then you said you told Scott that McDermott had been offered a piece of it, you already told him that, so what would be so wrong with telling him as a fact that it was apparently going to open up, and the Thieves would have an interest? What would be so wrong with that?

(Page 5650 follows)

R/1/WC

A. I can't recall whether there was anything wrong with it, I just don't recall.

Q. Don't recall it. You definitely swear you didn't say it?

A. I could have said it because we had conversation along that line. I didn't make a note of it, sir. To me it was just one of those conversations Scott and I had.

Q. In any event, you are not prepared to swear, as you were at the opening of this cross-examination on this particular point, that you didn't say that? You started out saying, "I never said anything like it". Now, you say you possibly could have said it?

A. I don't know about this particular night, I didn't make a note of it, and there was several discussions we had with regard to this St.Catharines club.

Q. And did you suggest that you and Scott might in the near future receive $1200 per month between the two of you for furnishing protection for the three clubs?

A. I could have told him a story like that, I don't recall at all now, but I constantly tried to impress that to him I wanted to get in -- I was in with the gamblers and I thought he was, and I wanted to get in with his group, yes. I could have told him.

Q. I don't really question your anything wrong with it. I just don't recall.

Q. Don't recall it. You definitely know you don't know it?

A. I could have said it because we had conversations along that line. I didn't know a very lot of it, sir. I'm not sure one of those conversations there and I had.

Q. In any event, you are not prepared to answer, as you were at the opening of this cross-examination on this questionable point, that you didn't say that. You recall not saying, "I never said anything like it". Now, you say you possibly could have said it?

A. I don't know about that questionable point. I didn't make a note of it, and there are several discussions we had with regard to this Co.Conservative club.

Q. And did you suggest that you and Scott might in the near future receive $1000 per month between the two of you for fundraising purposes for the Tories alone?

A. I could have had a very fine time, I don't recall at all now, but I continually tried to impress that to him I wanted to get in — I was in with Mulroney and I longer to run, and I wanted to get in with his group, Q. I would have had the

Q. You had no hesitation mentioning money to him, you apparently had with McDermott. You had no hesitation in mentioning dollars and cents with Scott?

A. He asked me for money and I gave him my own money.

Q. He swears that, that he asked for money. You told him in the near future you would be receiving $1200 between the two of you for the protection of those three clubs?

A. I can't swear to it, I didn't make a note of it at the time.

Q. You also told him there were nine partners in the Vets Club in Cockeville, some of them are silent partners and play no part in the management?

A. I believe that was discussed.

Q. Who are the nine partners?

A. I don't know, sir.

Q. Who told you this, McDermott?

A. No, sir, I heard this as gossip on the anti-gambling squad. Ten partners, not nine. That is what weheard in our discussions and gossip on the gambling squad.

Q. I believe you agreed with Mr. Wilson that Felix Borelli is the thieves' representative in the gaming house club in Cockeville?

A. Yes, sir.

Q. Did you also tell him a certain sergeant on the morality squad is corrupt?

A. No, sir.

Q. You denyt that?

A. I absolutely do.

Q. Then, Constable Scott says:

"I asked Constable Wright why the "thieves didn't start a gaiming "house in the Windsor area where "there was suitable clientele. He "replied one reason was they were "scared of Sergeant Hatch.

"Constable Wright said, 'Someday "I will tell you a story about "Windsor.'"

Did you say that?

A. I don't think so, sir, I can't recall.

Q. You could have?

A. I could have said that, sir, there was a discussion.

Q. How do you know they were scared of Sergeant Hatch?

A. I wouldn't know, sir.

Q. Why would you think of it?

A. There hadn't been a club operating there for several months.

Q. Why would that mean they were scared of Sergeant Hatch?

A. I don't know why.

Q. Why would you say that?

A. As I say, there had not been any club operating there for several months or maybe two or three years.

Q. So?

A. So there was some reason, I would think.

Q. Why would it be they were frightened of Sergeant Hatch?

A. He is the one who put them out of business.

Q. You just threw this in for good measure?

A. Scott knew that, this was common knowledge, we talked back and forth about it on the squad.

Q. Why did you tell him, "Some day I will tell you a story about Windsor"? This is a direct quote.

A. I don't know, there is nothing I know about Windsor.

Q. Please listen to the question. We know you admit you lied time and time again.

A. I lied time and time again --

Q. To Scott, you said.

A. Scott lied to me time and time again. We were taught that in undercover work. That is part of our undercover role.

Q. Is that part of your role here?

A. No,I am not under cover here.

Q. We are trying to expose you. We will have to see about that. Tell me, did you say to Constable Scott:

"Some day I will tell you a "story about Windsor."

Do you deny saying that?

A. Yes, I do.

Q. You do?

A. Yes, I do.

Q. We have got you firmly on that?

A. Yes.

Q. "He then went on to say — ". That is you. - ". . . it is a wonder the Commissioner doesn't stop to think of the ineffectiveness of the others on the anti-gambling branch in connection with the club at Windsor, and then when it is put in the hands of Sergeant Hatch the club is put out of business". Did you say that?

A. No, sir, I did not.

Q. That is another figment of Scott's imagination?

A. Yes. He got this from a book I believe he was reading.

THE COMMISSIONER: What was the name of the book?

A. He told me was reading a book on the Mafia. I asked him if I could read it when he is finished. He said no, Sergeant Andersen was going to read it. I asked him about

this Mafia and he said, "Well, I will let you read the book, it has to do with corruption of mayors and reeves and police departments". He told me this, and I think that is where he has got half of this stuff from.

MR. MacKINNON: Q. How would this come from the book;

"I wonder why the Commissioner

"doesn't stop to think . . ."

in connection with a club in Windsor.

A. I don't know how it came from the book, he just made it up like a lot of stuff.

Q. We are pretty sure somebody is making stuff up, aren't we, witness?

A. I would say he is making it up.

Q. Did you tell Constable Scott about an officer recently transferred from the Picton Detachment to the Belleville Detachment had told you that some time ago he had been in Toronto' in the company of Hazer Sullivan, and had accompanied Sullivan to the Cooksville Club.

A. No, sir, I did not. There was a discussion about this officer. I told him this officer that I was patrolling with in Belleville, we had discussed the Veta Club and some of our duties on the anti-gambling squad, and I had raided it. And he told me

somebody from that area had been there. He hadn't been there.

Q. Didn't mention Razor Sullivan. That is a rather unusual name to be cropping up here, or is that another enemy of Scott's which he put in?

A. I don't know, could be. Scott had a lot of enemies, he has them all in his report.

Q. Yes. But Razor Sullivan wasn't mentioned by you on this occasion?

A. We could have talked about Razor Sullivan, talked about Razor Sullivan ---

Q. It wasn't mentioned by you? Please listen to my questions, quit walking all around them. Razor Sullivan wasn't mentioned by you on this occasion?

A. I don't recall whether he was mentioned first or not.

Q. By you?

A. I don't know.

Q. You are not prepared to swear as to that?

A. No, sir.

Q. And onthe same date he states, that you say is false, "P.C. Wright stated he was now informed that Balsom's contact was being paid $25 per week and this might be split with one other member of the branch. P.C. Wright further stated when the gaming

accurately from that date had been known. In fact, it was known.

Q. Could anyone have failed. This is a matter which would seem to be assigned up here, or in this another group of Roosevelt's which he put in?

A. I don't know, could be. Sonia and a lot of counsel, he has then all to his right.

Q. Then, the Tower Building was conducted by you on this occasion?

A. We could have called about Tower Building, called about Tower Building ——

Q. It wasn't questioned by your Honor Sirica on my questions, you winding all Prosecution Book. Tower Building was conducted by you on that occasion?

A. I don't recall another to use anything first or not.

Q. By your

A. I don't know.

Q. You are not prepared to answer at is that?

A. Yes, sir.

Q. And notice was made in answer, was you say in front, T.C. Wright arrived in was now talkered that Salmon's auditor was being paid $25 per week and this might be split with one other member of the Council.

T.C. Wright further answer that the Joint

house opened in St.Catharines they promised the policemen concerned would have an additional $25 per week."

Now, did you state that to Police Constable Scott?

A. There was a discussion about another officer receiving money and I told him that I believed this officer was getting $25 a month. I made that up.

Q. A week or a month? He says you told him a week.

A. Well, $25 a week, I could have said. I am not swearing I did say it. But there was a discussion how much money they were getting. I don't know why I said $25, but I said it to him, I believe.

Q. On that occasion you gave Police Constable Scott $11 to cover his expenses to Belleville?

A. Yes, sir.

Q. Then, on Monday, March 14th, Constable Scott swears that you phoned him and stated that there had been a change in plans and that your contacts were not going to obtain an interest in the alleged gaming house in St.Catharines.

A. March the 14th?

Q. That is right.

A. P.C. Scott called me at home, I have here, sir.

THE COMMISSIONER: That is right. That is what Scott says in his diary.

R/2 MR. McKinnon: Yes, he phoned you at your residence. Did you state to him that there had been a change in plans and that your contacts were not going to obtain an interest in the gaming house in St.Catharines?

A. No, sir, I did not.

Q. No conversation like that at all?

A. The conversation was very brief, sir.

Q. Did you advise him not to instigate the uncovering of Balsam's source in the Anti-Gambling Branch for a couple of weeks?

A. I could have, sir, I could have.

Q. Why would you say that?

A. Because, myself, I would like to get more information whether they were involved.

Q. From whom were you going to get this information?

A. I thought from P.C.Scott, because he and I discussed it constantly.

Q. You told Scott not to do anything about it for a couple of weeks?

A. Yes.

Q. How were you going to get more information from him?

A. I thought he would tell me in a couple more weeks.

Mr. B. Well, we guess you'd

your own labors. Did you stand to his then times

had been a money in plan but that Prof. Hudson

were not going to obtain an interest in the

planing mills in Wilmington?

A. No, sir, I did not.

Q. No conversation like that at all?

A. The conversation was very brief,

sir.

Q. Did you advise him not to

instigate the movement of Skinner's centre in

the anti-dumping branch for a couple of weeks?

A. I could have, sir, I could have.

Q. Why would you say that?

A. Because myself, I would like to

get more information whether they were involved.

Q. From whom were you going to get

this information?

A. I thought that [illegible] because

he and I discussed it considerably.

Q. You did ought not to be arguing

about it for a couple of weeks?

A. Yes.

Q. Who were you going to get more

information from then?

A. I thought he would well be in a

simple more remote.

Q. Even if he wasn't supposed to be doing anything about it according to your instructions?

A. Because when he talked about these other officers he seemed quite concerned, the same as I was.

Q. I feel you were both concerned for different reasons?

A. Not for different reasons, possibly the same reason.

Q. To eliminate competition?

A. No, sir, the fact there were other officers on the squad giving information.

Q. We will go to the fifth report. And you have acknowledged - - -

THE COMMISSIONER: Just a moment. There was some significance to the calls to St. Catharines that same day, March the 14th.

MR. MacKINNON: Yes, and March the 11th.

THE COMMISSIONER: Exhibit 159.

MR. MacKINNON: March the 11th. Well, you will notice a call to St.Catharines.

THE COMMISSIONER: Yes, but I note on March the 14th four calls to St.Catharines, the last of which was booked to Stanley Balsam.

MR. MacKINNON: Do you say on that date you had no conversation with McDermott about him not taking a piece of the St.Catharines club that was to open up?

A. No, sir.

Q. And he didn't advise you he had been in touch with anyone in St.Catharines?

A. No, sir.

MR. MacKINNON: I think, Mr. Commissioner, that Constable Moore can tell us about these St. Catherines calls, who they were to and who the man is involved. In fact, it is in this black book that is now filed as an exhibit.

Q. Do you know Mr. Tobas in St. Catherines?

A. Who?

Q. Tobas, T-o-b-a-s?

A. No.

Q. Never heard if before?

A. No, sir.

Q. Or Tobas?

A. No, sir.

Q. Then, on March the 22nd, you have acknowledged to Mr. Wilson that you did query Police Constable Scott as to whether there might be an undercover agent or man in the Niagara Falls area; Is that correct?

A. Yes, sir.

Q. Why would you want to know if there was an undercover man there?

A. For my own satisfaction, sir.

Q. What business was it of yours?

A. Well, I thought it was strange

A. No, sir.

Q. And he didn't advise you he had been in touch with anyone in [illegible]?

A. No, sir.

MR. [illegible]: I think, Mr. Commissioner, that [illegible] would be well to [illegible] in, [illegible] mills, one thing never he and was who was in involved. In fact, it is in this [illegible] that he was [illegible] in [illegible].

Q. Do you know Mr. [illegible] in [illegible]?

A. [illegible]

Q. [illegible]

Q. Yeah, [illegible]?

A. No.

Q. [illegible] based in [illegible]?

A. No, sir.

Q. Or [illegible]?

A. No, sir.

Q. [illegible] or [illegible] the [illegible], you have acknowledged to Mr. Milnes that you did query Golden Consolidated [illegible] to whether there might be an underwater [illegible] or [illegible] Dragons [illegible] areas. Is that correct?

A. Yes, sir.

Q. Why would you want to know if there was an underwater [illegible] [illegible]?

A. For my own satisfaction, sir.

Q. What business was it of yours?

A. Well, I thought it was strange.

that these clubs were still going, nobody was trying to do anything about closing them, and that the only way to get them was an undercover man.

Q. They were raiding these clubs at this time?

A. Yes. But they raided the clubs before I came on the squad and all the time I was on the squad, and they didn't do any good.

Q. They were raiding these clubs, how would it serve your purpose to know if there was an undercover man there?

A. To raid them.

Q. You were supposed to be doing your duties down in Belleville?

A. I intended to go into Toronto and give all this information.

Q. And tell the Commissioner he had an undercover agent in Niagara Falls?

A. No, sir.

Q. What difference would it make what you were going to tell him if there was or was not an undercover agent in Niagara Falls?

A. He would know I learned from somebody.

Q. You were going to tell him, presumably, you had been paying money to Scott. That would be more important than the undercover agent in Niagara Falls?

A. I was going to tell him everything.

Q. You were not seeking this information for anyone else?

A No.

Q. It would be of interest to the people operating the Niagara Falls Club to know if there was an undercover man there. You would agree with that, wouldn't you?

A. Yes, I believe it would,yes.

Q. I take it when you were going into see the Commissioner, you were going to tell him about McDermott as well, because he occupied even more time in your phone calls than Scott?

A. Yes, I was going to tell him everything, sir.

Q. How were you going to do that without notes?

A. I was going to tell him about the complete investigation.

Q. How were you going to do that without notes?

A. As I say, I was going to tell him about the complete investigation whether I had notes or not, whether I phoned him or not.

Q. You have been a police officer for some time, that is why you were making notes about Scott's calls?

A. Yes, that is right.

Q So you would have something, as you

say, to show them to the Commissioner to back yourself up?

A. Yes.

Q. How were you going to do that with regard to McDermott?

A. How was I going to do that with regard to McDermott?

Q. Yes?

A. Well, sir, I was just going to tell him.

Q. You wouldn't have anything to confirm you had called on such-and-such a date, and the various dates?

A. That is correct. I would get the toll tickets and everything from Belleville, and it could all be explained, sir.

Q. And your memory would be sufficient you could remember what was said in these conversations with McDermott?

A. No, but I would tell him the gist of the investigation with regard to McDermott and Scott.

Q. If I may just then turn to March the 29th, when you met P.C.Scott in the Pilot Tavern, and then moved over to the Morrissey Tavern. Now, Constable Scott has sworn that on that occasion you told him, among other things, that although the proposed gaming house in St. Catharines would not open, in its stead a large

betting house would open. Did you tell him that?

A. No, sir, I did not.

Q. You now swear you did not make this statement to Police Constable Scott?

A. No, sir.

Q. And you did not tell him you had an opportunity of furnishing protection for this establishment at $25. per month, between the two of you?

A. I said nothing much, but that we were unwise to bother with it. I told him we probably would make only $25. a week.

Q. What were you talking about in connection with the $25.?

A. This St.Catharines deal.

Q. A large betting house?

A. It was either a betting house in St.Catharines, a betting house or the gaming house. I didn't make a note of which it was, sir. I feel it must have been a gaming house, that is what he was more concerned about.

Q. He said you told him the gaming house wouldn't open and that is why the betting house would open, they couldn't get suitable clientelle.

A. You understand, we discussed these things back and forth between us. Some of the things he said, some things I said.

Q. That is the best you can give us,

that is the best you can give us. He also swears you stated the club at Cooksville was dying a slow death because large floating crap games were operating in Toronto?

A. I told him that the Vets' Club at Cooksville was dying a slow death.

Q. Who told you that, McDermott?

A. I believe he did at some time.

Q. Did he tell you about the large floating crap games?

A. No, that is something he added.

Q. That is a switch, witness. He told you it was dying a slow death. And you said all he ever said to you that this was a bona fide social club, and as far as you were concerned, he was not engaged in anything illegal. What is this dying a slow death because of the floating crap games?

A. I don't know. Any club can die if they don't get the business.

Q. What is this to a bona fide club, a social club?

A. It is a social club.

Q. When did McDermott tell you the club was dying a slow death?

A. Sometime during the conversations.

Q. And I presume you asked him what he meant by that, why it was dying a slow death?

A. I could have. I don't remember

if I did.

Q. What was his answer?

A. I don't recall his answer.

Q. Wouldn't it be important to find out the reason for this slow death?

A. No, I just took for granted the same as when the club over in Niagara Falls - - not Niagara Falls, Bertie Township was closed, it died a slow death, and the police continued raiding it. It finally closed up.

Q. But so far as this club was concerned, it was getting tipped-off when the raids were to be made, and they were not being made all that frequently?

A. I don't know if they were getting a tip-off when the raids were being made, sir.

Q. You knew nothing about that, although Scott was giving you the dates and the times of the raids?

A. That is right. I put them in my book, sir, and that is as far as they went.

Q. And you put Scott in touch with McDermott?

A. Yes.

Q. And you knew he would be doing the same thing for McDermott?

A. I did not know what he and McDermott would be doing.

Q. Why did you put him in touch with

McDermott?

A. To get into the magic circle, and he would think I had been calling McDermott all along.

Q. And wouldn't he be giving McDermott the same information he had previously given you?

A. I don't know, sir.

Q. That is what you expected, wasn't it?

A. I expected him to tell me he had been with them all along, sir.

Q. Then you would know they were getting the off from someone. Which is what I am coming up to.

A. I expected Scott to tell me that, sir, yes.

Q. Then, he states:

"P.C.Wright stated he had been if
"informed a Federal Charter had been
"Granted to an organisation in the
"Toronto area, that a large gaming
"house was going to open either in
"Metro Toronto or just outside the
"Metro area."

Did you tell him that?

A. No, sir.

Q. Not a thing of that either?

A. No, sir.

Q. That is another figuent of his

imagination?

A. Yes, sir.

Q. And then he states:

"I asked Police Constable Wright "why a gaming house wasn't established "at Windsor. He stated Gardner "went a little crazy while in gaol. "2. Sergeant Hatch would bother "them no end."

Did you give that answer to Constable Scott?

A. We could have discussed that, I don't remember if it was that day. We did discuss Sergeant Hatch down in Essex and the Windsor club being put out of business.

Q. He asked you why a gaming house wasn't in operation inWindsor, and he swears you gave this answer:

"That Curly Gardner went a little "crazy in gaol and second, Sergeant "Hatch would bother them no end."

Did you answer that question in that fashion?

A. I would say I didn't answer in that fashion. I don't recall anything about Mr. Gardner.

Q You deny this, and you deny it under oath?

A. Yes.

Q. That is all I want. Then, you

admitted to Mr. Wilson the Thieves and David Humphrey, their solicitor, were developing a gold mine in the area north of Port Arthur.

You deny you mentioned any money. Scott said you told him there was a hundred thousand invested in that mine. But you mentioned who?

A. You.

Q. How did you know about Mr. Humphrey being involved?

A. Mr. McDermott told me they had a gold mine up north of Port Arthur.

Q. And he told you David Humphrey had an interest?

A. I don't know whether he said an interest, he said he was a member of the company, or something to that effect, Feeley, McDermott and Mr. Humphrey.

Q. They were developing a gold mine in the area north of Port Arthur?

A. That is correct.

Q. So, you were led to believe by Mr. McDermott that Humphrey had an interest in this claim?

A. That is correct, sir.

Q. A third interest. The last statement:

"Wright again tried to impress me
"with the fact that we would make
"more money in time as we proved ourselves

"accurate and reliable. While on
"the subject of money P.C. Wright
"cautioned me about putting money in
"bank accounts."

A. I believe I did tell him that.

Q. Is that because you didn't want bank tellers going around telling how much Police Constable Scott had in his back account?

A. No, I can recall one reason, and the reason, I took him to my own bak at one time so that I expected when I went to my own bank and went into my own safety deposit box, he would make a coument, tell me where his safety deposit box was. I thought he might have a safety deposit box, and might some day take me into his safety deposit box.

THE COMMISSIONER: You had a safety deposit box?

A. Yes, sir.

Q. And you still kept all this moeny in the basement?

A. Yes, sir. The safety deposit box, I didn't have that until 1955.

MR. MacKINNON: Q. Kept keeping your money in an old overcoat?

A. Yes, sir. I tell you what I kept there, property deeds in the safety deposit box, and my wife kept bonds in that safety deposit box.

THE COMMISSIONER: You kept your bonds

under the mattress?

A. Not this date. After I sold these bonds and started on the G.P.P. I started keeping them in the Safety deposit box.

Q. Why did you keep them in the mattress at one time and then decide to put them in the safety deposit box later?

A. Because I didn't have a safety deposit box, and decided to get a safety deposit box later on.

Q. When did you get the safety deposit box?

A. I would say it would be about - - I am just guessing when it would be, but it would be about 1956, maybe '55, '57. I am not just sure exactly when, but it was one of those years, sir.

Q. How long did you continue to have it?

A. I still get it.

MR. MacKINNON: Q. And your wife, some of your wife's assets you stated were in this box?

A. Yes, she had, I believe, $1200 with bonds in there.

Q. We will come back to your assets a little later, witness. But why did you tell him not to trust bank accounts, as you said you did?

A. I say I thought he would have his money in a safety deposit box, and I wanted to get the idea to put it in a safety deposit box. That is why I took him into my bank.

Q. This was to avoid detection?

A. No, I expected I wanted to get my money back I had spent on this investigation.

Q. You were advising him not to put it in the bank. Was your reason to him that this was a good way of avoiding detection not to keep it in a bank account, to keep it hidden?

A. I don't know if I said that. I hoped he would tell me some day he had a safety deposit box.

Q. You must have given him some explanation so he would understand why you were emphasising this?

A. I don't know if I gave him any explanation.

Q. I would like to turn to the sixth report, and Sunday, April the 10th, you called - - -

THE COMMISSIONER: Well, it is just one minute to one o'clock.

---Whereupon the hearing adjourned at 12;59 p.m.

(Page 5680 follows)

AA WJR

---On resuming at 2.19 p.m.

---Witness resumes witness stand.

MR. MacKINNON: Q. Witness, last night Mr. Wilson asked you for your income tax assessments - that you have them with you this morning - have you brought any of those papers with you?

A. Yes, sir.

Q. You have them with you now?

A. Yes, sir.

Q. May I --

A. Your lordship, may I ask you a question?

THE COMMISSIONER: Yes?

A. I think it's unfair that this is brought out because these are the suggested figures the income tax appeal board assessed me, and I have it before the appeal board now.

Q. I understand that.

MR. MacKINNON: Q. Could I now have them, sir. Who prepared this document, the income tax branch?

A. This document is prepared by my auditors, sir. That's his copy.

Q. Yes, but I am interested in what you were assessed by the income tax department. Does it show on here?

A. Does what show?

Q. Does the --

A. This is the amount I spent for each

of these years.

Q. You are pointing to a line where the pencilled notation reads:

"The department HEPT suggests I spent "this much these years".

A. That's correct, sir.

MR. MacKINNON: I wonder if I might file that as an exhibit?

THE COMMISSIONER: Q. This document is a calculation of a net worth assessment for 1956, 1957, 1958 and 1959 for the witness Wright, prepared by your auditor whose name is what?

A. Mr. Simmons.

Q. Who is A. Lambert and Company?

A. That's the name of the company but he's the one handling it.

Q. And the individual who is handling it, the work, is Mr. Simmons?

A. Yes, sir.

Q. So everything that is typewritten on here, the figures typewritten on here, are the figures prepared by your auditor?

A. Yes, sir.

THE COMMISSIONER: That will be Exhibit 164.

---EXHIBIT NUMBER 164: Figures of assessment prepared for witness Wright by his auditor.

MR. MACKINNON: Q. Have you got a

copy of the assessment, or the assessment itself, with you?

A. These are the assessments and this is a copy of the appeal for each.

THE COMMISSIONER: Just a moment, Mr. MacKinnon, I want to study this.

Q. Is my understanding correct that all the typewritten figures here are those prepared by your auditor? All the typewritten figures on here?

A. Between the auditor and the income tax department, yes sir. I don't know which figures are which but I did ask them. That's why I have the notation there; which figures the department alleges is the amount of money I spent for each of these years. That's where the arrow is.

Q. Yes.

A. That's what the department alleges I spent.

Q. I am not concerned with that for the moment, I was asking you if my understanding is correct that everything that is typewritten on here was typewritten in the office of your auditors?

A. Yes, sir.

Q. That is correct?

A. Yes, sir.

Q. And on the basis of those figures the income tax department levied or assessed you

for arrears of income tax in 1956 was $725.86? That is the revised tax levied, is that right?

A. Yes, sir.

Q. Or is it? Just a moment. It shows your apparent income, and these are in typewritten figures, in 1956 of $5,247.28, and the net income that you reported was $3,120.20, and the apparent income unreported was $2,127.08, is that right?

A. That's right.

Q. And then in 1957 your apparent income was $5,072.27. You reported an income of $3,772.61, and the unreported was $1,300.66?

A. Yes.

Q. Coming to 1958 your apparent income was $8,261.19. You had reported it at $3,894.94 and the unreported income was $4,366.25?

A. Yes, sir.

Q. In 1959 your apparent income was $5,150.70. You reported $4,157.09 and the amount unreported was $993.61?

A. Yes, sir.

Q. All right.

MR. MacKINNON: These are for the years 1955 to 1959 inclusive, Mr. Biggar.

THE REGISTRAR: Yes.

THE COMMISSIONER: All right.

MR. MACKINNON: Q. I will come back to this in a moment, witness. Did you telephone

anyone over the noon hour?

A. No sir, I did not.

Q. Pardon?

A. No sir, I did not.

Q. I want to go to April 12th - maybe April 10th - going to Scott's diary - his reports - and you have already admitted that the first three items having to do with Corporal Shrubb, which you deny - statements which you deny making - I want to go to some other statements because this was a very lengthy meeting or interview in the Wallace Hotel. You started at 10.15 p.m. and separated about 2.15 am. according to Scott. Do you agree you were together for about four hours?

A. Yes, sir. Any time we did have a meeting we had lenghy meetings.

THE COMMISSIONER: Q. Well, this particular one is the one that we are concerned with.

A. I didn't make a note of the time -- I made a note of the time we met.

MR. MacKINNON: Q. You only have five lines covering the whole four hours, is that right?

A. Yes, sir.

Q. 10.15 p.m. to 2.15 a.m.

A. When?

THE COMMISSIONER: 12.15.

MR. MacKINNON: 10.15 to 12.15 but he drove him home at 2.15 a.m.

THE COMMISSIONER: Oh, yes; I see.

MR. MacKINNON: They just went to another bar.

THE COMMISSIONER: That is right, they left the Wallace Hotel and went to the Brass Nail.

MR. MacKINNON: That is right.

Q. "We parted company after he had driven me home at 2.15 a.m."; so I suggest, witness, that four hours is a fair estimate of the time you spent that night?

A. That's right.

Q. And you covered that by five lines in your diary - your report - is that right?

A. Yes, sir.

Q. You are aware, of course, that Constable Scott has sworn that you talked about a considerable number of things on that evening? I am going to mention some of them to you.

A. Yes, sir.

Q. Mr. Wilson has already asked you about some of the items, the first three, and I will come to item 4:

"4. Corporal Shrubb's apartment was " 'bugged' and tape recordings made of "conversations."

Did you tell him that?

A. No sir, I did not.

Q. Next:

"5. Wright received $1,000.00 per month

"for looking after Windsor when it was
"in operation."
Did you tell him that?
A. No, sir.
Q. Why didn't you tell him that? You were trying to gain his confidence?
A. I don't know why I wouldn't.
Q. You didn't mention getting any pay-offs?
A. I could have told him I received money from Windsor but I didn't say any amount.
Q. You may have said you received something for looking after Windsor in the operation?
A. That's right.
Q. The only thing you deny is getting one thousand dollars?
A. That's right.
Q. The next thing he stated:
"6. Wright supplied protection for
"Peterborough. When Tisdale Club was
"raided and a conviction registered,
"it was the best thing that could have
"happened, as it cleared the air of any
"suspicion, that there might have been,
"of a 'leak' in the Branch."
Did you tell him that?
A. No sir, I didn't tell him that.
Q. You didn't mention the Tisdale Club and that you supplied the protection for that

club?

A. I would say we could have mentioned the Tisdale club but we used to continually talk of different clubs; but as far as me saying I was supplying protection, I deny that.

Q. You deny that completely?

A. That's right.

Q. Why would you be talking about the Tisdale Club?

A. I don't know how we were talking about it.

Q. But you will go so far as to say you could have been talking about it?

A. We could have been because we talked quite a bit about clubs and bookmakers and sweepstakes.

Q. Even clubs that had been out of existence for four years?

A. Yes, sir.

Q. The next statement that he says - that he swears that you made reads:

"7. Sherbourne Street office was
" 'bugged'; the 'mike' being hidden
"behind the fire-place. Observations
"were later kept from a room across the
"street."

Did you mention that to him?

A. I recall about theobservations across the street because - I can't say exactly when this was - it's probably four years prior to this

time - but Corporal Shrubb had told me; in fact, they did raid the place across the street.

Q. Did you tell him the Sherbourne Street place was 'bugged'?

A. No, sir.

Q. And a mike hidden behind the fire-place?

A. No, sir.

Q. You didn't?

A. That's ridiculous.

Q. And if you had given him that information it could only have come from McDermott?

A. I didn't give him any information like that. It's like a fairy tale to me, sir.

Q. The next item you deny completely was the Ramsay brief. Was James Maloney an enemy of Constable Scott?

A. I don't know whether he was or not, sir.

Q. I see. Do you know of any reason why he might mention James Maloney's name?

A. I don't know why he mentioned his name, no sir.

Q. How about District Inspector Stringer? You know him, don't you?

A. Yes. I don't know him personally but I do know of him.

Q. You never met him?

A. Yes, I have met him two or three

times, I believe.

Q. Did you ever meet him socially?

A. Never socially.

Q. Did you ever meet him with Feeley or McDermott?

A. Never, sir.

Q. Did you ever discuss Inspector Stringer with McDermott?

A. No, sir.

Q. The name never came up in your conversations?

A. During our trial we didn't discuss much but I recall the name did come up at the trial.

Q. Before your arrest?

A. No sir, never.

Q. Scott just thought this would be a good name to put in there as far as you are aware?

A. We all had suspicions that the brief as received at our branch, and apparently it was given to Sgt Andersen.

Q. How it got into Stringer's hands, you did not discuss that with McDermott?

A. Never, sir.

Q. Wouldn't that be an interesting subject of conversation with him, talking about this brief and giving you an opening?

A. No, sir.

Q. You told the Commissioner the other

day the reason the Ramsay Club was raided was because it was a rival organization of some club McDermott had?

A. That was our suspicions.

Q. That is what you thought?

A. Yes.

Q. Why wouldn't you discuss this with McDermott? You were the one that raided it? You were in charge?

A. Yes.

Q. Yes.

A. Sgt Anderson and I.

Q. Why wouldn't you raise this as sort of an opening for you?

A. Oh —

Q. Particularly when you helped to put the enemy out of business?

A. I wasn't too concerned with it.

Q. You weren't?

A. No.

Q. You were concerned with gaining his confidence?

A. Yes, sir.

Q. Wouldn't this be a good way?

A. It could have been, sir.

Q. Do you now swear you had no part whatever to play in the preparation of this document?

A. Absolutely, sir.

Q. You never saw it until after it was

delivered to Sgt Andersen by Stringer?

A. That's the first time I saw that brief.

Q. And you never discussed it with McDermott on the telephone at any time?

A. No, sir.

Q. Prior to your arrest?

A. Never, sir. Never.

Q. And you were asked about whether you stated that you had a partner on the force and that the partner had been out out but that you had not received his share. Now, I believe you said you hadn't said anything like that to Scott, is that correct?

A. That's absolutely correct, yes sir.

Q. Well, Sgt Cronin was on the Branch with you for a period of time?

A. Yes, he was.

Q. Was he ever your partner in these endeavours?

A. Never, sir.

Q. But you went to him for a loan?

A. Yes, sir.

Q. After he had been off the force for at least five to six years?

A. Yes, sir.

Q. Well, Mr. Brewin will be going into that subject with you so I will leave it alone for the time being. Then Constable Scott

swears you told him:

"11. The thieves have a gadget for "picking up numbers, called from a "premises, without making connection "with drop lines. P. C. Wright had "tried this gadget out himself by "parking in front of the house of "Sergeants Anderson and France. He "subsequently checked these numbers at "the Bell Telephone Co. with a Search "Warrant, in some case, finding them "to be the numbers of relatives."

Did you tell him this?

A. No sir, I did not. As a matter of fact, a gadget like that does exist and the gambling squad got that gadget. I don't know why he would turn around and state somebody else had it when we have it.

Q. I am asking you what you said. Do not divert. Do you deny you said this to him?

A. Absolutely, sir.

Q. And you never checked these numbers by parking in front of the homes of Sgts Anderson and France?

A. Never, sir.

Q. You didn't tell him you checked out the numbers called by using a search warrant at the Bell Telephone?

A. Never, sir.

Q. Are these search warrants kept?

A. Yes, I believe a copy of them are kept.

Q. Where would they be?

A. They would be in the office of the anti-gambling squad.

Q. Before the Bell Telephone let you in you have to show them these warrants, is that right?

A. Yes, sir.

Q. Does it have to be sworn by anyone?

A. Yes, sir.

Q. By whom?

A. A Justice of the Peace.

Q. Would this be Deputy Commissioner Bartlett doing this?

A. Yes, sir; sometimes if he was available.

Q. And then he swears you said:

"12. The thieves have 'tapes' of "telephone conversations of members of "the Branch. P. C. had sat and "listened to these tapes."

Did you tell him that?

A. That's absurd, sir. I didn't tell him that.

Q. And then:

"13. P. C. Wright intimated that he had

"amassed $50,000.00."

Did you tell him that?

A. No, sir. I do recall discussing I amassed money but not fifty thousand dollars.

THE COMMISSIONER: Q. Well, how much?

A. I don't remember how much.

Q. Well --

A. It's a long time ago.

MR. MacKINNON: Q. How longago?

A. Two years ago.

Q. That's not a very long time?

A. It's a long time to me.

THE COMMISSIONER: Q. What would be a reasonable figure?

A. I would say maybe five thousand dollars. I could have told him I had amassed five thousand dollars.

Q. How would you arrive at that figure?

A. Just a figure I would pull out of the air.

MR. MacKINNON: Q. Five thousand dollars for four years work? You intimated to him you had been in touch with these gamblers for a number of years?

A. I don't believe I did, sir. I told him that I had been -- I had stoppedu

Q. That is what you told him first - we

realize that once he gained your confidence then you began to open up with him?

A. That's just conjecture on his part.

Q. Anyway, you figure the figure you gave him might have been around five thousand dollars?

A. Yes, sir.

Q. Did you tell him:

"14. When the Club at Windsor was "prosecuted the principals lost "$250,000.00."?

A. No, sir; that's absurd.

Q. Did you tell him what the lawyer's fee was for defending Gardner and his friends?

A. I think one time we discussed legal fees and I believe he told me that it cost the Ramsay Club --

Q. No. No. No.

A. --$70,000.00, and he got that figure from somebody he talked to over in Niagara Falls.

Q. I am talking about Windsor?

A. I never told him it cost $250,000.00.

Q. I am talking aboutthe lawyer's fee? The lawyer's fee for a certain prominent lawyer was so much money?

A. No sir, I did not.

Q. You never mentioned it?

A. No, sir.

Q. You have already denied telling him:

"16. Gardiner was sprung from gaol by "the 'thieves' through politicians."

How about telling him:

"17. Thieves have file on members of "the Branch past and present."

Did you tell him that?

A. No, sir.

Q. Did you discuss the Reeve of Toronto Township and the Chief Constable of that Township?

A. No, sir. I don't even know the Reeve there and I just met the Chief there a couple of times and he's a fine, upright gentleman, as far as I know.

Q. You never discussed him or the Reeve with Constable Scott?

A. No, sir.

Q. And then he goes on to say:

"19. Dickering is still going on at "St. Catharines regarding the club that "is to open."

Did you tell him that?

A. We discussed the St. Catharines club but as far as anybody being bribed, we never discussed anybody being bribed.

Q. And then:

"22. Protection for the Ramsay Club was "started with an initial payment from

"Albert Iannuzzelli to Sammy

"Salson of $100.00. This was for

"information received from a source

"other than this writer."

That means other than Constable Scott. Did you tell him that?

A. Sir, I did not.

Q. Then did you tell him you could buy or sell any officer on the Ontario Provincial Police?

A. No sir, I did not.

Q. Did you tell him:

"If the Club at Cooksville was raided

"every night for a week it would be

"out of business."

Did you tell him that?

A. Yes, I believe we had a discussion along those lines.

Q. That is one thing you did discuss in those four hours?

A. This was sort of sociable.

Q. You were up there on business?

A. I was up there on business?

Q. You certainly were?

A. In conjunction -- We were drinking together and discussed other things other than this investigation.

Q. Constable Scott seems to have a fair list of things you discussed. You only agree with one in thirty?

A. Yes, and I guess he would be good and intoxicated when he went home and cooked this stuff up.

Q. Didn't you say:

"25. Chief Patrick of Kitchener is "called from the Club at Cooksville "to okay any cheques tendered by a "Kitchener man at the Vet's Club."

A. No, sir.

Q. That is also wrong?

A. Yes, sir.

Q. Do you deny you told him:

"26. P. C. Wright joined the Masonic "Lodge to further his friendship with "Deputy Commissioner Bartlett."

One thing that you did admit, you said you admitted:

"Humphry was in to see Assistant "Commissioner Kennedy regarding the "threats of Gardiner to expose the " 'thieves'. Gardiner had been writing "threatening letters to the 'thieves'."

With regard to Curly Gardner's friends. You admitted that?

A. Yes, sir.

Q. Did you tell him:

"30. Gardiner's family was looked after "while he was in gaol."

A. I could have told him - not Gardner's family - but I do recall that it was

common knowledge to our squad that book-
makers when they're convicted, the big man
behind it paid the fine.

Q. We are not talking about book-
making generally, we are talking about
Gardiner's family?

A. No, sir.

Q. You didn't mention it?

A. No, sir.

Q. You never discussed it with
McDermott prior to this time?

A. Never, sir.

Q. And all you got for Tuesday,
April the 12th, that Corporal Scott has two fool-
scap pages on,:

"Met F. C. Scott at the Wallace Hotel
"Beverage Room. He asked me how much
"he would make out of St. Catharines.
"He further stated he wanted at least
"$100.00. I told him that probably
"there would be bookmaking at this
"premises. He stated he didn't mind
"that he would tip them off for
"bookmaking also. I told him we would
"have to see. He said he would phone
"me Thursday night not Wednesday unless
"there was something doing."

A. That's all I have, yes sir.

Q. Yes.

A. That's all I had at that time.

Q. In that four hours that is all of any significance that was said by either of you?

A. Yes sir, that's correct.

Q. That is what you are asking us to believe?

A. As I said, there was general conversations but as far as all these names and name dropping, that's untrue.

Q. I will come to his seventh report, Tuesday, April 21st --

THE COMMISSIONER: Thursday.

MR. MacKINNON: Thursday, I am sorry.

Q. Thursday, April 21st. Once again you are meeting Constable Scott at the Earl French Club.

A. Yes, sir. With P. C. Wood, sir. I did meet him there.

Q. He states that during his discussion with you that night certain points were touched on - I won't refer to some of them. He says that he was advised that:

"A person from the United States by
"name of Maggaddene has recently met
"with the 'thieves' regarding the
"conflict of the 2 sources of informa-
"tion from the Branch."

Did you discuss Maggaddene with him?

A. I did discuss Maggaddene with him but not along those lines, sir.

Q. Why would you be discussing Maggaddeno?

A. Just one of our conversations. The New York state police had told me in conversation that this Maggaddeno was a friend of Mr. Montano who owned the Fort Erie race track.

Q. This is a direct statement that:

"Maggaddeno has recently met with the "'thieves' regarding the conflict of "the 2 sources of information from the "Branch."

Namely, you and Scott and the other two?

A. No, sir. I didn't say anything of the sort.

Q. No reference to that at all?

A. No, sir.

THE COMMISSIONER: Q. Which Maggaddeno were you talking about?

A. I don't know, sir. I only know of one Maggaddeno, and that's the one the New York state police told me about who was a friend of Montano, who had a partnership or owned the Fort Erie jockey club over there.

Q. It was not open?

A. Well, he owned the property over there.

Q. Did he?

A. I don't know, sir.

Q. Was there more than one Maggadiene?

A. Not to my knowledge. There's only one that --

Q. Where is he supposed to live?

A. Somewhere in the United States. I don't know where but it must be somewhere in New York state because it was the New York police that told me this.

MR. MacKINNON: Q. He mentions a number of other things that you discussed and then he says you told him:

"One time P. C. Lamorie was on a trip "with P. C. Wright and P. C. Lamorie "started a conversation with P. C. "Wright on how a man could make graft "on this job."

A. No, sir. I don't -- No, he didn't say anything like that to me at all.

Q. Did you say anything like that to Scott?

A. No, I didn't say that to Scott. I knew P. C. Lamorie. We all used to go on trips together.

Q. I am asking you whether you said this ~~am~~ to P. C. Scott as he has sworn you did? You are swearing under oath you did not?

A. That's right.

Q. We have that clear?

A. That's right.

Q. Then on April 26th, that is a rather interesting date, and F. C. Scott swears that he phoned you at your brother's home and you stated that you were attending a meeting downtown at 11.00 a.m. Wednesday morning - the next day. I am quoting from Scott's report. He said that you - Wright:

"He said that at this meeting he would "obtain a local number for me to call "and that he would straighten out the "deal on the club at St. Catharines."

Did you so state?

A. I believe I did tell him I was going to a meeting, and he was constantly after me for a number, but there was no such meeting.

THE COMMISSIONER: Mr. Reporter, would you read back that last answer, please?

THE REPORTER: (Reading)

"A. I believe I did tell him I was "going to a meeting, and he was "constantly after me for a number, but "there was no such meeting."

MR. MacKINNON: Q. And you now swear that you met no one the next day, either Feeley or McDermott, or both?

A. That's correct.

Q. And you didn't speak to any of them on the telephone that next morning?

A. No, sir.

Q. Did you go to the Jordan Club that day?

A. I have never been in the Jordan Club in my life.

Q. You didn't go that day, Wednesday, the 27thth of April?

A. I have never been in the Jordan Club.

Q. And then did you call Constable Scott the next day and give him a number?

A. Yes, I could have, sir.

Q. He swears:

"P. C. Wright gave me a local number

"to call, it being CR 8-3785. I

"asked P. C. Wright whose number it

"was and he stated that it was

"McDermott's."

Is that correct?

A. I recall giving him the number but I don't believe I told him whose number it was. He was very insistent on getting that number and I believe when I gave him that number I didn't say whose number it was.

Q. Why would he want any old number? Surely he would want to know whose number you were giving him?

A. He didn't seem to be too interested. He wanted any number.

Q. Just any old number?

A. Yes.

THE COMMISSIONER: Q. Any number at all?

A. Well, I would think he would think I was going to give him a gambler's number.

Q. Now, you are asking me to believe when you gave him this number it was not in response to a request from him for McDermott's number?

A. Sir, he didn't know I was calling McDermott.

Q. I didn't ask you that. What do you think I asked you? Have you any idea what I asked you?

A. You asked me if I told him McDermott's number.

Q. Yes?

A. Which I don't recall whether I did or did not, which I don't think I did because he didn't know who I was supposed to be in with.

Q. The very purpose of giving a number was so he could get in direct contact with McDermott?

A. That's correct.

Q. Why would you give him/somebody else's number?

A. I didn't give him somebody else's number.

Q. Well, you gave him McDermott's

number?

A. Yes, sir.

Q. And you knew you were giving McDermott's number to him?

A. Yes, sir.

Q. And you intended to -- You intended him to understand that it was McDermott's number?

A. I expected him to make a comment after he called the number.

Q. He understood from you that you were then giving him McDermott's number?

Isn't that so?

A. I don't know that he even knew that I was dealing with McDermott.

Q. Please. When you gave him that Crescent number you intended to convey to him that it was McDermott's number?

A. He should have known it was McDermott's number.

Q. You intended him to know?

A. Yes, sir; I would intend him to know.

Q. Well, why make it necessary to drag it out?

A. Well, sir, I didn't explain I would expect him to know also.

MR. MacKINNON: Q. Then on that same day, witness, he swears that he met you:

". . . at the Scarboro Open Kitchen

"Restaurant, Danforth Avenue and
"Pharmacy Avenue in about 20
"minutes."

Do you remember meeting with him there?

A. Yes, I do recall meeting him at the Scarboro Open Restaurant, yes sir.

Q. He states the following information was given to him by you. He not only states, he swears that:

"(a) The Maggadino who had recently
"met with the 'thieves' was a brother
"of Maggadino the 'Undertaker' from the
"United States."

A. I didn't tell him that at all, sir. There was possibly conversation about Maggaddino but whether this was this date or not I don't know.

Q. You did not tell him this?

A. No, sir.

Q. If it turns out to be accurate information, as I was so advised, then that would just turn out to be a lucky guess or statement on the part of Scott so far as you are concerned? You didn't give it to him?

A. I didn't give it to him. He would know about this himself.

THE COMMISSIONER: Q. He would know what?

A. About Maggaddino, meeting with the

thieves.

MR. MacKINNON: Q. He said you said:

"I knew lots about the MAFIA."

A. No, he told me he knew lots about the Mafia.

Q. Did you say you knew lots about the Mafia?

A. No, sir, I didn't. This is when he told me he had this book that he was reading about the Mafia.

Q. Did McDermott tell you that Felix Borelli had arranged a meeting between himself, McDermott and Maggaddeno?

A. No, sir.

Q. In any of these conversations you had with him?

A. No, sir.

THE COMMISSIONER: Q. You are sure of that?

A. Positive, sir.

MR. MacKINNON: Q. And he swears you told him:

"The Ianuzzellis are members of the "Mafia."

Q. Did you tell him that?

A. No sir, I didn't.

Q. He also swears you said this:

"Chief Constable Paye of the Niagara "Falls Police Department had recently "phoned Joe McDermott saying that he

"wanted to see McDermott."

Did McDermott tell you this?

A. No, sir.

Q. Did you tell him this?

A. No sir, I did not.

Q. And then he says:

"Chief Faye at one time called

"Sergeant Anderson to come and see

"him and when the Sergeant came, the

"Chief some what (?) ridiculously

"said 'did I call you'."

Did you say that to Scott?

A. I recall one time, that --

Q. Did you say that to Scott?

A. I could have.

Q. That is one thing that you could have said?

A. Yes sir, I could have said that.

Q. Then he says you said:

"I have seen films of a

"certain prominent gentleman and Dave

"Humphry vacationing with the 'thieves'

"at either the Bahamas or Bermuda."

A. No sir, I didn't tell him that.

Q. Have you ever seen any films that McDermott had?

A. Never, sir. Never.

Q. At no time?

A. At no time, sir.

Q. Did McDermott ever discuss this

with you?

A. He discussed that he had been down on holiday for two or three years.

Q. Did he say with whom?

A. No, he didn't say with whom. He said he was down there, possibly with Mr. Feeley.

Q. When you were going over these points with Feeley and McDermott, or just one of the points they were going to check up about with you was what you said to Scott?

A. I can't recall exactly because we didn't go over too many.

THE COMMISSIONER: Q. This is last night?

A. We didn't go over anything last night, sir.

MR. MacKINNON: Q. In the last few weeks you told us you went over a number of them?

A. Yes.

Q. Is this one of them?

A. I don't recall that.

Q. But they did recall they did have films down at the Bahamas or Bermuda?

A. Never, sir.

Q. And then he swears you told him:

"Joe McDermott was on a hunting trip

"with 2 or 3 racketeers from the

"United States at James Bay and Sergeant

"Anderson made inquiries regarding the

"trip. Joe McDermott picked up the "tab for the hunt which cost "$3,000.00".

A. Yes, sir, I believe we had a discussion along them lines at that time.

Q. And you told him McDermott had been on a hunting trip with two or three racketeers from the United States to James Bay?

A. That's correct, sir.

Q. And did McDermott tell you this?

A. No, sir.

Q. You are swearing Sergeant Anderson told you this?

A. Yes, sir, absolutely.

Q. This was prior to your talking to Constable Scott?

A. Yes, sir. This would be probably two years prior.

Q. Where did you get your figure of three thousand dollars costs for the trip? Are you saying Sergeant Anderson gave you that figure, too?

A. I could have pulled it out of the sky when Sergeant Anderson sent a memorandum up to the Chief Inspector up in that part of the country that he would like the District Inspector to make discreet inquiries up in that area. I don't recall just exactly where it was - it was up in James Bay someplace, and McDermott was

supposed to have been up there with some recruiters.

Q. And that three thousand dollar figure was pulled out of the air?

A. Yes, unless Sergeant Anderson told me. I don't recall whether he did or not.

Q. Do you think Sergeant Anderson knew at that time?

A. I don't know whether he did or not, sir.

Q. If I may go to the 8th report now, witness, and under the heading of May 8th, just to refresh your memory Constable Scott swears that:

"On this date I met P. C. Wright at
"the corner of Page Avenue and
"O'Connor Drive at about 11.15 p.m.
"We went to a restaurant on Danforth
"Avenue and returned to our original
"meeting place where I left P. C.
"Wright at approximately 1.30 a.m.
"During this meeting P. C. Wright made
"the following statements:"

Now, do you remember that meeting on Sunday, May the 8th?

A. I don't remember the date but I do remember us having a meeting.

Q. In a restaurant on Danforth Avenue?

A. Yes, sir.

Q. And he swears you told him:

"Vincent Feeley and Joe McDermott

"posed as inspectors during the

"construction of the new headquarters

"and went through the officers of

"the Branch taking the serial numbers

"of all the desks and obtained keys

"for the desks."

Do you deny telling him that?

A. I absolutely do. I didn't tell him such a story, sir.

Q. Then he also swears you told him that:

"Don Scott and a member of parliament

"in the peninsula had received

"money to take pressure off the club

"in the Peninsula."

Q. Do you deny telling him that?

A. Yes.

Q. Pardon?

A. Yes, I certainly do. That's something he's made up.

Q. It is?

A. Yes.

Q. Then he swears you told him:

"I was a partner with Cronin who was

"cut out. I thought I would receive

"his share but I did not."

Do you deny that, too?

A. I certainly do, sir.

Q. He said you said:

"Cronin made at least $100,000.00.

"I have got $30,000 anyway."

Do you deny that, too?

A. Yes sir, I certainly do.

(Page 5715 follows)

MR. MacKINNON: Q. He says:

" The Thieves posed as "subscribers to the respective "telephones at the Bell Telephone "Company and examined the toll "of members of the Anti-Gambling Branch. We had to do this when "there was so many undercover men. "We thought we might get a call to "one of the undercover men."

He says you told him that?

A. I did not, sir.

Q. " When the big investigation at "Hamilton was being wound up at "Hamilton and the Branch drew men from the districts for the raids, "Inspector STRINGER phoned several "people including Joe McDermott and "told them what he knew . . . "

Did you tell him that?

A. No, sir, I did not. There was discussion of Inspector Stringer but I never told him anything like that, sir.

Q. Then, he swears:

" Vincent FENLEY dated . . . " A certain stenographer at the Police College and - " . . . 'pumped' her for information "concerning the Branch." ?

A. He told me that, sir.

Q. Do you swear you did not tell him that?

A. Yes, sir.

Q. Then, he says:

" FEELEY and another person/

"attempted to take out . . . "

a certain secretary of the Branch -

". . . by meeting her on the street

"close to where she lives."

Did you mention that to him?

A. No, sir, I did not mention it to him; no, sir.

Q. Then, he says Feeley tried to take out a certain woman, another secretary in the Branch. Once again, you gave no information about Feeley's activities in this connection?

A. No, sir, he told me that.

Q. Then, he swears you told him:

" Papalia from Hamilton has an

"interest in the club at St. Catharines."

A. No, sir, I did not.

Q. What did you talk about during this particular meeting? You were about two hours together. Constable Scott has written out this report. You have denied everything he says you discussed. What do you say you discussed?

A. Sir, I didn't deny everything that was supposed to have been discussed; I denied

I said these things.

Q. Are you saying he told you Feeley and McDermott posed as inspectors?

A. No, sir. I told you the things he told me.

Q. About Feeley and McDermott trying to date the secretaries at the Police College?

A. Yes, sir.

Q. Anything else?

A. I can't recall, sir. My notes for this period are the notes I threw in the trash can. If I had known there would be a Royal Commission I would have those notes here today, sir.

Q. We will get into those notes. In the ninth report, dated May the 23rd, under date of May the 17th, you have already gone over a part of this with my friend. This was the time you met P.C.Wright (sic) at the Earl French Club and P.C.Lawrence came along and you sat out in the car and you could not remember too much of what went on, according to your story; but I would like to ask you this: Police Constable Scott has sworn that Lawrence said to you:

". . . that the only reason he had "come to the club . . ." - that is the Earl French Club -

". . . to discuss this matter was

"because I . . . " - that is Scott -
". . . in my conversation with Joe
"McDERMOTT had suggested that perhaps
"Lawrence, Lamorie and myself might
"get together because working apart
"made me nervous. He further told
"Wright that unless he could show him
"some usefull purpose he could serve,
"he would not talk business with him."
Do you remember that?

A. No, sir, I do not remember any of that.

Q. Inother words you say that Lawrence did not lay it on the line for you in that fashion?

A. No, sir.

Q. Did you subsequently speak to McDermott and suggest maybe he should cut Lawrence and Lamorie off?

A. No, sir, I did not.

Q. I want your comment on this statement which occurs on Thursday, May the 19th, in Scott's diary, where he says:

" Both Lamorie and Lawrence are
"quite mad at F.C.Wright who had
"suggested to McDERMOTT that some
"move be made to havethem transferred
"from the Branch using the Preston
"situation where they located the
"wrong house for a reason."

Did you ever suggest to Mr.McDermott that he should try and get those two gentlemen removed from the Anti-Gambling Branch?

A. Never, sir. Never, sir.

Q. And remove them as competition for you and Scott?

A. Never, sir. Scott told me he would remove Lawrence and Lamerie.

Q. Now, have you ever been to the Alpine Bridge and Social Club?

A. No, sir, never.

Q. Never. You do not know anything about it, then?

A. No, sir, I do not.

Q. Now, coming to this exhibit of yours, I believe it is Exhibit 157, your notebook. You will have to bear with me, witness, I have never seen the notebook. What kind of a notebook was it, or is it?

A. It is an official police black notebook.

Q. One of the little ones?

A. Yes,sir.

Q. When did you get it?

A. When did I get it?

Q. Yes?

A. Now, then, I don't know when I got it, but it would have been -- it could have been just before I left Toronto, or it could

Did you ever suspect Kirk,Bloomsbury
that he should age and get thinner but particularly
interest even the anti-Christian Society

A. Never, sir. Never, sir.

Q. Did Kirk ever see or hear Christian
the you and Brenda

A. Never, sir. Never said one to
which private Christian and Brenda.

Q. Then, have you ever been to the
Albert Hotel and Bloomsbury

A. Yes, sir, once.

Q. Never. Tuesday was first evening
March 18, Friday

A. No, sir, it did not.

Q. Then, assuming the this evidence of
Pratt, I intend to ask in February 1979, you
You will have to come with me, mistress, I
have never been the witness. Was I alone or a
companion was 17, or in 1977

A. If is my relations Mother Hubbard
cupboard.

Q. Did he ever flirtin money?

A. Yes, sir.

Q. When did you get 1977

A. When was I get 1977

Q. Then

A. Yes, ma, I don't know anyone.

I was 17, but is never been down — I'm really
more than just future I have thought, or it could

have been when I was in Belleville, sir; I don't know. I don't want to swear to when I got it.

THE COMMISSIONER: Q. Where did you get it?

A. I either got it in Belleville off the secretary or I got it out of an office -- our office drawer here in Toronto on Fleet Street. In fact, at the time I believe I had two or three of them that I got at the time.

Q. Got at the time from whom?

A. I don't know, sir, from whom I got it, there. If I got it in Toronto, I would have just took it myself, sir. We have free access to notebooks.

MR. MacKINNON: Q. Is this the same type of notebooks you used to run your second notebook you have told us about?

A. Absolutely, sir.

Q. When did you get this second notebook?

A. It would have been at the same time.

Q. The same time. You have some extra ones lying around your room?

A. In this box, sir.

THE COMMISSIONER: Q. Which box?

A. This box which was in my apartment when the police raided it.

MR. MacKINNON: Q. Now, do you say that you ceased making your entries, as it appears, on April the 22nd, 1960, and you gave this black notebook to your brother. Is that correct?

A. Yes, sir.

Q. And you have sworn here you got it back in a week's time?

A. Well, it was about a week's time.

Q The next Sunday, I believe.

A. I don't know it was a week's time. It was the next time I was in Toronto I got it back.

Q. That would be a week. And, then, you continued, did you say, --

THE COMMISSIONER: Excuse me.

Q. Does that brother live in Toronto?

A. Yes, sir.

Q. What is his name?

A. Edward.

Q. Is he the one -- Oh, yes. You have spoken of him before?

A. Yes, sir, that is the same brother.

Q. He is the one who had the house?

A. That is the same brother.

MR. MacKINNON: Q. And did you make the same type of entry in this second notebook as

you had been making in the first?

A. It was just a carry-on, yes.

Q. Why did not you switch back into the first the following week, after you got itback?

A. There was no reason why I didn't. I often would do that in the years, I was on the squad. I used to start in a book and, for some reason, I don't know why, I started another book.

Q. And you had this second notebook in your possession, then, subsequent to your arrest, after you were arrested?

A. Yes.

Q. The police never found it, according to your evidence?

A. That is correct.

Q. Did you retain Charles Dubin to act for you?

A I recall -- I didn't retain him, no, sir. I recall I tried to get in touch with him and I did talk to him but at the time of the preliminary hearing, which was back in June of 1960, he was very busy in the Appeal Court, I believe, or the Supreme Court, and he would have been unable to --

Q. Did you not discuss your case with him?

A. Very, very little, if I did, because

the only time I talked to him was on the telephone.

Q You never went into his office or never saw him face to face about this matter?

A. No, sir.

Q I see. Did you retain David Humphrey to act for you on the preliminary?

A. I didn't retain him. I wanted him to take my case but he advised me, owing to the fact that he had been involved in gambling charters and along that line, that I would be better off to retain someone else.

Q. Did you show him this second diary at that time?

A. No, sir, I did not.

Q. I suggest to you the reason you did not show it to him was because it was not, then, in existence. Isn't that true?

A. That is not so.

Q The reason you stopped making entries in your diary, by that time, April the 22nd, you had confidence in Scott, within four days you put him directly in touch with McDermott and there was no more reason to keep up this facade. Is that true?

A. No, sir, that is not true.

Q. Were your entries written in pencil in this second notebook?

the motorcycle I called to his mind on his
telephone.

Q. Has never been into his office
or never has him face to face about this
matter?

A. No, sir.

Q. I see. Did you remain Sheriff
Dougherty on his far you in the courthouse?

A. I didn't remain long. I received
his in some my car by he driving he, going
to Stamford where he had been involved in
shooting whereby his wife was slain. That
I would be bothered off to remain someone else.

Q. Did you know him then convicted
Henry or Clara Winer?

A. No, sir, I did not.

Q. I suggest to you the reason you
didn't know it to him was because it was not,
then, in existence. Isn't that true?

A. That is not so.

Q. The reason you stopped motion
matters in your office, by that time, April 5th
2004, you had qualifications in South, within four
days you put him directly in touch with Hernandez
and there was no more reason to keep up this
Fraud. Is that true?

A. No, sir, that is not true.

Q. Have your earlier motions in
court in this second indictment

A. No, I believe they were written in ink. I believe some could have been ink, some could have been pencil; I can't recall.

MR. MacKINNON: I believe Mr. Rose would like to say something.

MR. ROSE: My lord, I have been engaged in a defended divorce action for the last few days and I have just received a message that the jury came in and Mr. Justice Moorehouse requires my presence. I understand Mr. Erewin has arranged his cross-examination of this particular witness, and I have about five or six questions and I wonder if I might ask my questions at the same time as Mr. Erewin?

THE COMMISSIONER: You want to go to the Supreme Court?

MR. ROSE: If I may, my lord.

THE COMMISSIONER: You may be excused.

---Mr. Rose leaves the hearing room.

MR. MacKINNON: Q. Who acted for you on the preliminary hearing in June of 1960?

A June of 1960? I believe Mr. Arthur Martin did, sir.

Q. Did you show him this notebook at that time, this alleged second notebook of yours?

A. No, sir, I did not.

Q. It might have been very helpful

to fill out your story if you had it?

A. Sir, I had tried to get in touch with two or three lawyers.

Q. No, no, no; you had one lawyer and a very capable one, acting for you, according to what you have told us?

A. Yes.

Q. In June of 1960?

A. Yes.

Q. My question is: Why didn't you show him at that time this alleged second diary of yours?

A. Well, I am just trying to explain to you, sir. I didn't know whether -- This was the preliminary hearing, this wasn't a trial, and I didn't know whether he would be available for the trial, sir.

Q. Didn't you want to give him all the assistance --

A. He didn't particularly ask me. He would ask me things and call me into his office and I would take no part.

Q. You have already prepared cases for Crown Counsel as a police officer?

A. Yes.

Q. You know more about it than the average citizen?

A. I wouldn't say more than the average citizen.

to fill out your county if you had not.

A. Sir, I had tried to get in touch with the Secretary.

Q. No, no, my question had one purpose and a very important one relating for your convenience to what you have told us.

A. Yes.

Q. In view of that

A. Yes.

Q. Do you mean that Clinton County was not a poor county?

A. Well, I am just trying to explain to you, sir. I didn't have enough -- this was the preliminary meeting, this wasn't a trial, and I didn't know whether we would be available for the trial, sir.

Q. Didn't you want to give him all the evidence --

A. He didn't particularly ask me. He would come on Monday and call me into his office and I would take my guess.

Q. Has Ford already processed some for Clinton County as a public officer?

A. Yes.

Q. Has been done since it was in existence?

A. I wouldn't say there were some the following cases.

Q. You have been involved in court cases as a police officer?

A. Yes, sir.

Q. But you did not think of giving him this diary of yours which the police overlooked in their search?

A. I did talk to him of it at the time of the first trial, sir.

Q. That gave you lots of time to do some writing, that was ~~/~~ months and months after?

A. I didn't do any writing in it, sir.

Q. In any event, you did not show it or mention it to Mr. Martin?

A. Not until my trial, sir.

Q. That was to --

THE COMMISSIONER: Q. You did not show it to Mr. Martin at the time of the trial?

MR. MacKINNON: Q. It was Mr. Hartt you told us had it later?

A. Yes, it was either Mr. Hartt -- They were both there present, I believe. I just can't recall now for sure.

Q. Mr. Martin was your counsel at the preliminary in 1961, too, wasn't he?

A. Yes. Mr. Hartt and Mr. Martin, sir. I believe Mr. Martin was quite busy in court and, then, Mr. Hartt took over, I believe.

Q. In any event, he appears on the record as counsel forthe accused Wright, but you

Q. Did you ever learned in every

cause as a police officer?

A. Yes, sir.

Q. Had you had such duties of giving the

man Clark or person being the police department,

in their service?

A. I did talk to him or if he was

also of the first break, sir.

Q. When gave you lack of time to go

home driving, that was a member the police dept?

A. I didn't do any writing in the site.

Q. In any event, you did not know if

he worked in the dept. Jackson?

A. Not until in court, sir.

Q. Did you be —

THE CONSTABLE: Let him

know if he is Mr. Martin as the same of the family:

Mr. Henderson: Q. In was Mr. Martin

you told us had it lawyer?

A. Yes, it was original Mr. Martin —

They were just lucky enough, I believe. I just

didn't really see the gun.

Q. Mr. Martin was your recorded at the

preliminary in jail, too, wasn't he?

A. Yes. Mr. Jones and Mr. Johnson,

sir. I believe Mr. Martin was quite some in

court and, then, Mr. Martin took over, I believe.

Q. In any event, he appeared on the

record on common first-degree murder, but you

did not tell him even at that late stage of the diary?

THE COMMISSIONER: What time is that?

MR. MacKINNON: March 21, 1961.

Q. You did not tell him as of that date?

A No, sir.

Q. Now, what interests me is: Why didn't you tell Inspector Graham right away about this diary? You knew he had your first diary. Why didn't you tell him about your second diary?

A. Inspector Graham saw that diary and he scoffed it off.

THE COMMISSIONER: Q. Which diary?

A. The first diary.

Q. That is not the one Mr. MacKinnon is asking you about.

MR. MacKINNON: Q. Why didn't you tell him about the second one?

A. Because he wouldn't believe the first one.

Q. So you thought it pointless for him to have these diaries on May 28th, 1960?

A. I didn't think it was pointless. I thought Inspector Graham could have read the diary without making any comments and laughing it off.

Q. Are you suggesting by implication

you did not want to give him the second diary, assuming his search was inefficient or ineffective? Are you suggesting he might destroy it?

A. He would do the same with what he did with the first diary; he just scoffed.

Q. The first diary is still in existence?

A. Well, he seized it; that is right.

Q. And you figured it would help you -- that is why you kept it?

A. I figured it was the truth of the investigation.

Q. You figured it would help you?

A. With what?

THE COMMISSIONER: Q. It was valuable to you?

A. It was valuable to me.

(Page 5739 follows)

MR. MacKINNON: .. Why didn't you give it to him or your lawyer?

A. I felt he had no right to take the first diary unless he read it thoroughly. He just took it and scoffed at it.

Q. Why didn't you give it to your lawyer right away? Were you afraid he would scoff at it?

A. As I said, sir, I didn't know who my lawyer was going to be cause I had talked to Malcolm Robb's office, I talked to Mr. Humphrey's office.

Q. You had a lawyer, a very senior counsel, in June?

A. Yes; and when the trial came up he was supposed to act for me and he was tied up in the Court of Appeal and Mr. Hartt had to act for me.

Q. You had senior counsel acting for you in June of 1960 but you made no reference to this alleged second diary of yours, not a word?

A. That is right, sir.

Q. And you did not tell Inspector Graham about this first diary; he found it?

A. He found it; that is correct.

Q. It was not a case of you presenting it to him?

A. No, he asked me what it was and I told him what it was.

Q. Did you expect him to sit down

Q. Did you [illegible]? A. Why didn't you give it to him or your lawyer?

A. I felt he had no rights on this the first day unless he proved it thoroughly. He lied from it had happened to it.

Q. Why didn't you give it to your lawyer right away? Were you afraid he would [illegible] it?

A. No I said, why, I didn't know my lawyer was going to be there. I talked to Mr. Hughes's office.

Q. Did you [illegible]?

A. They not [illegible] to be was arranged to and for me and he was [illegible] in the [illegible] and Mr. Harris had to see for me.

Q. You had another conversation [illegible] that in which he [illegible] as [illegible] of [illegible], and a [illegible]

A. That is right, sir.

Q. And you did not tell Commissioner [illegible] about that [illegible] in [illegible]

A. I thought [illegible] to [illegible].

A. It was not a case of [illegible] it to [illegible]

A. Yes, he asked me where it was and I told him where it was.

Q. Did you report him to [illegible]

DB1/FL

right there and read it in the middle of his search.

A. I would have thought he would have glanced at some of it, anyway.

Q. But he went on with his search and that upset you?

A. It didn't upset me.

Q. You said you did not like his attitude?

A. With respect to the book, sir. He was very gentlemanly during the search.

Q. Apparently you told him a falsehood; he asked you whether you had ever been in touch with McDermott and you said you had not. Is that correct?

A. Yes, I could have told him that.

THE COMMISSIONER: Q. You could have? You did.

A. Well, if I did --

Q. No; be frank about it. You did tell him that.

A. Well, I don't recall exactly that I did.

Q. I think you swore the other day that you did.

MR. MacKINNON: Yes.

A. I do recall him ~~xxxx~~ asking me. He asked me if I knew him, I believe, and I said, "Not other than what I seen at the club out at Cookeville", or something to that effect.

Q. You denied having spoken to McDermott.

THE COMMISSIONER: Q. Isn't that a fact?

MR. MacKINNON: Q. Isn't that a fact?

A. Yes, I did.

Q. So, you lied to him.

A. Well, yes, sir.

Q. I suggest --

THE COMMISSIONER: Q. Why didn't you admit that a moment ago?

A. Well, because, sir, the question that I can recall that he asked me, to the best of my memory, is whether I knew him or not.

Q. You recall him asking you whether you had ever spoken to him? You told us a moment ago you did and you told him you had not. Is that your evidence to-day under oath?

A. I don't really recall exactly, other than the man's name was mentioned and I did deny either that I knew him or I had spoke to him.

MR. MacKINNON: That is right.

Q. I suggest to you the reason you did that was because you believed you had covered your tracks so far as McDermott was concerned and he would never find out.

A. No, sir, there were no tracks to cover.

THE COMMISSIONER: Q. Then, why did

you deny?

A. Because, as I say, I wasn't going to tell him anything.

MR. MacKINNON: Q. Why didn't you tell him anything?

A. Because I was quite upset that he didn't pay any attention to my notebook.

Q. Why didn't you answer him?

A. If anybody came down to your place and arrested you, how would you feel about it?

THE COMMISSIONER: Q. Never mind, just answer the questions.

MR. MacKINNON: Q. Why did you not say, "I am not going to answer any of your questions"? Why did you lie to him?

A. He asked me this probably six hours later, after he arrested me and interrogated me all day.

Q. All right. Why did you lie to him? Why didn't you say, "I am not going to say anything"?

A. Don't ask me why. If I did, I did.

THE COMMISSIONER: Q. It is suggested you lied because you thought you had covered up your tracks.

A. That is not true. I didn't trust the man when he came right down and nailed me and arrested me and took me to my apartment without any explanation, other than the warrant

he showed me, and tore my apartment upside down. I was very upset about being arrested.

MR. McALINTON: Q. According to you they did not tear it very far because they forgot one very important part of evidence.

A. They disorganized it and pulled stuff out and upset my wife.

Q. I was interested in one answer you gave. I want to go to the breakdown of the money. I am confused as to how much money you spent and where it came from, on Scott and your car. You stated in answer to a question by Mr. Wilson with reference to Scott, the question is on page 5155:

"Q. What was the conclusion "that you had arrived at, so far as "Scott is concerned? That you had "successfully corrupted him?

"A. No sir. I don't under-"stand when you say 'successfully corrup-"ted him', because I did not intend to "corrupt him. That wasn't my intention "at all in this investigation."

Is that your answer under oath?

A. That is my answer, yes, sir.

Q. What were you giving him money for?

A. Because -- It wasn't with the intention that I corrupted him; it was to play him along, to see if he was in with the gamblers. If he was in with the gamblers I couldn't very

well corrupt him.

Q. You were giving him money for something illegal?

A. Yes, but I didn't believe I was corrupting him, sir.

Q. What would you call it?

A. Investigation, sir.

Q. It might be just a side effect of it, this would be corrupting him, giving him money for his criminal or illegal activities. That was just a side issue here to your main purpose; is that right?

A. If you want to look at it that way, sir, he corrupted me.

Q. He didn't give you any money?

A. He didn't give me any money but he was constantly crying for more money.

Q. Well, you apparently had the money to give him, wherever it came from.

A. You know where it came from, it came from my savings bonds.

Q. I think I know where it came from, witness; I think I do. Tell me about that money so I will have the break down, because my arithmetic is not too accurate. Tell me once again, how much money did you give to Scott? $1,000, wasn't it?

MR. WILSON: It might be helpful, Mr. Commissioner, if I put in that summary which I mentioned yesterday and which was not --

The summary of transactions for the years 1953 to 1960 shows that the salary during that period was $21,658.85 and the disbursements during the same period were $21,790.21. These figures, of course, do not show any charge of $10 a week that the witness states he paid by way of board.

THE COMMISSIONER: Let me see the summary. Have you got a copy?

----Document handed to the Commissioner.

MR. WILSON: The summary is supported by transactions showing income and disbursements in each of those years, with particulars of how the disbursements and income are made up.

Now, this is based, of course, on an examination of the bank account, the cheques, obtaining information with regard to realization on savings bonds and particulars of payments made on the various purchases of cars, pianos, furniture, etc.

THE ~~CHAIRMAN~~ COMMISSIONER: That speaks for itself, I suppose.

MR. WILSON: The only thing I want to qualify is that the disbursements would not include the $10 a week from 1953 to the end of 1957, which would be roughly about $2,500, based on this witness's testimony, and would not, of course, include any expenditures he

made for ordinary living during the period of 1953 to 1960. It is also subject to the qualifications that the witness made yesterday in regard to certain additional income he stated he received, which at the moment I have not had an opportunity of checking.

---EXHIBIT NO. 165: Summary of income and disbursements of Robert J. Wright between 1953 and 1960.

THE COMMISSIONER: All right.

MR. MacKINNON: Q. Witness, did you tell us that you had cashed $1,500 in bonds for the purpose of using those to further your so-called investigation?

A. Yes, sir.

Q. Yes. Then, we understand, and this is in evidence already, that at this time, in fact during one of your meetings -- on the same occasion as one of your meetings with Constable Scott you purchased a motor vehicle for $1,500 in cash. Is that correct?

A. That is correct, sir.

Q. All right. You also, then, paid Constable Scott $1,000 in cash over the period of time you were giving him money?

A. Yes, sir.

Q. On my addition that comes out to $2,500.

A. Yes, sir.

Q. Then, you also gave him a sum of money for travelling expenses and phone calls. Is that not correct?

A. I believe $13 I gave.

Q. On one occasion you gave him eleven something, which we have seen today, you have mentioned it. Have you any idea of how much you gave him?

A. There was a list, sir, that the police seized at the time of arrest.

Q. In addition to all that you had to pay for these 90 odd long distance phone calls, didn't you, to McDermott and to Scott?

A. Yes, sir.

(Page 5740 follows)

CC1/GS

Q. Have you any idea what that cost you?

A. Well, this slip of paper with the calls on, sir, that they seized from my apartment.

Q. Well, on that slip of paper they seized in your apartment you had left out the McDermott calls, hadn't you?

A. No, I think the McDermott calls are on it.

Q. All of them?

A. Yes, sir.

Q. Well, that is not my information. This is for a month?

A. Yes, sir.

Q. For a month?

A. Yes.

Q. It is for three months I am talking about, four months.

A This is for a month, and this would be the second month, which - or very close to the first month. There was one I figured as an average.

Q. I see. Do you have any idea how much that might have cost you, that you were financing out of your own pocket? $50.00?

A. — If I could see the slip of paper I could, sir.

Q. Well, this slip of paper has been given to me by my friend. It doesn't mean much to me, and it doesn't cover very many calls,

Q. Have you ever been guilty of

perjury?

A. Well, quite quite of course with the

exception of, of, that long, natural lying on occasions.

Q. Well, on that point of perjury have

reviewed the lower proceedings and the 1973 and the

Richmond Hills, Queen's part?

A. No, I might have Richmond Hills

here on 16.

Q. All of them?

A. Yes, sir.

Q. Well, they are in [illegible]

there in fact a record?

A. Yes, sir.

Q. Are a record?

A. Yes.

Q. In the three months I am talking

the about, four months.

A. This is for 3 months, and this

would be the second month, which - we were close

to the first month. There was one I figured as

my commission.

Q. I see. Do you know why less has

been more since you, that you were

financing out of your own pocket? Do you?

A. -- If I could see the side of

paper I could, sir.

Q. Well, this milk of poison has been

taken to me by my friend. It doesn't seem

good to me, and is doesn't seem very, very odd.

as I look at it. It certainly doesn't cover any 90 odd phone calls.

A. -- Well, there is 18 calls on here, and there is figures at the bottom. Now I am just trying to recall.

Q. I see a $28.00 figure there, whatever that means.

THE COMMISSIONER: Well, I am not too much concerned with the --

A. I can't recall what month it is, and it would be carried on.

MR. MacKINNON: I thought this Witness might have some idea as to how much money he was spending on this private research.

A. Well, I believe around $20.00, $25.00 a month, sir.

Q. So that would be about $100.00 for the 4 months?

A. For 4 months, January, February, March, --

MR. MacKINNON: April, May

A. -- April, May. It would be about well, around $100.00.

Q. $100.00?

A. Yes.

Q. All right. So now we have it about $2,600.00 plus that you spent. Now, you cashed $1,500.00, is that right?

A. Yes, sir.

Q. Where did that -- where did you --

THE COMMISSIONER: Well, now, just a moment. That is where I am a bit confused. Are you having any reference to this Exhibit 165 at all?

MR. MacKINNON: No, I am just having reference to this man's evidence.

Q. Where did the other $1,100.00 plus come from?

A. Well, there was, -- as I say there was $1,200.00 that I had at home.

Q. So, by the time you finished up all this, you would only have about $50.00 left then in your coat pocket?

A. As a matter of fact - I was cleaned right out, sir. I had no money left then.

Q. Well, I thought you told us when they searched the premises they found some money.

A. Oh, yes. They found about $300.00, mostly in silver. There was $100.00 in American and some coins, as I saved money like that for years.

Q. They found about $300.00?

A. There was money - I had been paid, I think, the week before that, and there was some of that in my pocket. I had just been paid. I don't remember how much I had in my pocket but I believe there was around $50.00 or $60.00 from my pay from the prior - the previous week, and then, as I say, there was silver dollars, and there is a box full of coins.

Q. Do you carry large sums of money around with you?

A. Do I carry?

Q. Yes?

A. What do you call large?

THE COMMISSIONER: Well, how much is some that you do carry?

A I have carried $200.00, $300.00 with me.

Q. Would you have that on your now?

A. Sir, I am broke right now.

Q. You didn't have that with you yesterday, when Mr. Wilson asked you to show your licence?

A. No, sir. No, sir.

Q. Because you looked a little disturbed, Witness, and I wondered just whether you did have a lot of money on you on that occasion.

A. I can tell you how much I have got, but it is very, very little.

Q. What are you living on the last couple of years? Have you been working?

A. No, sir. I was in Christmas trees, and then I helped a fellow demolish a couple of buildings, and that has been all my work. My wife works steady.

Q. Do you own a car?

A. Yes, I have a car.

Q. You still run it?

A. Yes, I still run it.

Q. Now --

THE COMMISSIONER: Where did you have breakfast this morning?

A I didn't eat breakfast, sir.

Q. Pardon?

A. I don't eat breakfast, sir.

Q. Did you have any meal this morning before Court opened?

A. No, sir. I never eat. I either have maybe a coffee or a cup of tea, something like that.

Q. Weren't you in the restaurant this morning?

A. Yes, sir.

Q. About 10 minutes to 10?

A Yes, sir. I had a cup of coffee, sir.

Q. Who was with you?

A. Mr. Rose was with me, sir.

MR. MacKINNON: You told us about a vacation to Mexico.

A Yes, sir, and I got some - I said yesterday, and I got some concrete figures that I had.

Q. Did you keep disbursements on this honeymoon trip?

A. No, I was asked to do this - prepare this for the income tax people yet, and as I say they haven't - I haven't had a chance to go over it with the Income Tax Appeal, so none of

Q. The 14

[illegible] Have you been

[illegible] Mill operator?

A. I didn't get breakfast, sir.

Q. Breakfast?

A. I don't get breakfast, sir.

Q. Did you have any meal this

morning before Court opened?

A. No, sir. I never got. I either

have [illegible] it was [illegible] Only breakfast

like that.

Q. Haven't you in the penitentiary

this morning?

A. Yes, sir.

Q. Been in penitent in 1917

A. Yes, sir. I had a run of cocaine,

sir.

Q. Who was with you?

A. Mr. Rose was with me, sir.

Mr. [illegible]. You told us about a

conversation to Thomas.

A. Yes, sir, but I got [illegible] - I was

yesterday, and I got some cocaine [illegible] that

I [illegible]

Q. Did you have [illegible] on this

[illegible] Mill?

A. No, I was asked to do that - [illegible]

[illegible] for the amount [illegible] you, and as

I say that haven't - I haven't had a chance to do

[illegible] [illegible] [illegible] [illegible]

these figures has gone to them, but I said yesterday it cost me $590.00 - for my food, accommodation, gas, etc.

Q. For four weeks?

A. Sight seeing, souveniers, and miscellaneous, and it cost me $126.76 for gasoline which I purchased on a credit card and paid for when I came back to Canada, when I came back from the United States, or Mexico. $716.00 it cost me for the trip.

Q. Does that include your expenditures at Las Vegas?

A Yes, sir. As a matter of fact I had made enough to pay for my accommodation while there playing crap and roulette.

Q. Did you meet any of the Ontario gambling fraternity in Las Vegas?

A. No, sir. I met a man --

Q. Well, I am just asking --

THE COMMISSIONER: Answer the question, now.

A. No, sir.

MR. MacKINNON: You didn't meet either Peeley or McDermott there?

A. No, sir.

Q. Or Curly Gardner?

A. No, sir.

Q. May I see that document you produced, please? This is a document you prepared, and this reads - well, how long were you in

these figures have been to them, but I said
[illegible] to have [illegible] and
[illegible] etc.

Q. [illegible]

A. [illegible]
[illegible], and is such as [illegible] and
which I [illegible] in a [illegible] and [illegible]
when I came back to Canada, when I came back
from the United States, or [illegible]. [illegible]
[illegible] the [illegible].

Q. Does that [illegible] your [illegible]
at the [illegible]?

A. Yes, sir. [illegible] a [illegible]
had made enough to pay for my [illegible]
[illegible] and [illegible].

Q. Did you [illegible] in the [illegible]
[illegible] [illegible] in the [illegible]?

A. No, sir. I [illegible] a [illegible] —

Q. Well, I am just [illegible] —

[illegible]

A. No, sir.

Mr. [illegible]: [illegible] [illegible]
[illegible] of [illegible]?

A. No, sir.

Q. [illegible] [illegible]?

A. No, sir.

Q. May I [illegible] [illegible], [illegible]
[illegible], please? [illegible] is a [illegible] [illegible],
and [illegible] [illegible] - Well, [illegible] [illegible] [illegible] in

Mexico?

A. In Mexico? Approximately - approximately ten days, I would say, approximately. I am not just sure. I wasn't too long because - I didn't stay too long, I didn't like it down there.

Q. And where did you stay?

A. I stayed at - well, I drove down, I stayed in motels pretty well all the way down.

Q. In Mexico? You said you stayed at a hotel, what hotel?

A. In Mexico City I stayed at a hotel.

Q. That is right.

A. Gee, I don't even know the name of the hotel now.

Q. You were there a week?

A In Mexico City?

Q. Yes.

A. I believe I was only there two days, maybe three days.

Q. And you left?

A. From there going back up the coast on the other side, and back up into the States.

Q. So you were about ten days in Mexico itself?

A. About. If - I had to get a permit from the Mexican Government to - for the length of time you stay there, and they have got it, so I don't know just --

Q. And this was at the height of the

tourist season, wasn't it?

A. No, this was in April.

Q. In April?

A. I don't know whether it would be the tourist - in fact down in the south-west it wasn't the tourist, it hadn't come on yet.

Q. Now, you mentioned that your wife had bonds in this safety deposit box. Does she have fairly extensive assets?

A. Not to-day, sir. We are both broke. In fact the bonds I paid out to pay my lawyer. She had to cash them, and I had to pay that to my lawyer.

Q. That is not Mr. Rose?

A. No, sir, it is not.

CC2/GS

Q. Do you have any property held in trust for you by anyone?

A. Any?

Q. Property of any kind, real or personal?

A. No, sir, I haven't.

Q. No lawyer holding any money for you?

A. No, sir, I haven't.

Q. Any real estate?

A. No, sir, I haven't.

Q. Feeley or McDermott holding anything in trust for you?

A. No, sir, they are not.

Q. How about your friend ex-sergeant

Cronin?

A. No, sir, he has not.

Q. Have you made any large gifts of money or land to any of your family in the last couple of years?

A. Never, sir.

Q. Never at any time?

A. No gifts at all, sir.

MR. WILSON: I am going into that in re-examination.

MR. MacKINNON: Mr. Wilson is going to go into the point I was going to go into, so. There is one very important area, I didn't want you, sir, to think that I am leaving it because I am not interested in it, but I have agreed with Mr. Brewin that the relationship between this man and Sergeant Cronin, and the ramifications there, be dealt with by Mr. Brewin, that is why I am leaving it.

That is all for now.

THE COMMISSIONER: Mr. Brewin will want to reserve his right to cross-examine this witness until later.

MR. MacKINNON: Well, to-morrow morning, I believe.

THE COMMISSIONER: Later, I don't know whether to-morrow morning or not.

You have some questions to ask? Will you be long, Mr. Wilson?

MR. WILSON: Not very long, no.

THE COMMISSIONER: Mid-afternoon recess now?

MR. WILSON: I think so.

THE COMMISSIONER: Or later?

---A short recess.

EXAMINED BY MR. WILSON:

Q. Do you know the Columbia Bridge and Social Club on Yonge and Walton Streets in the City of Toronto?

A. The Columbia?

Q. The Columbia Bridge and Social Club at the corner of Yonge and Walton?

A. I believe there is a club, or there was a club, up there, sir.

Q. Well, you have been there, haven't you? You have been in the club.

A. I recall one time that - I don't know whether it is the same one, but there was a club, if that is it, that officers of our branch had gone into that club, yes, sir.

Q. Now, I asked you if you have been in that club?

A. Well, I can't really recall if that is the club or not, sir.

Q. Well, have you been in a club at Yonge and Walton?

A. Where is Walton Street? I don't

THE CHAIRMAN: Mr.-[illegible]

[illegible]

Mr. Flanagan: I thank you.

THE CHAIRMAN: Mr. Lowry

[illegible]

[illegible]

Q. Do you know the Grosvenor Bridge and Boston Club on Yonge and Bloor Streets in the city of Toronto?

A. The Grosvenor?

Q. The Grosvenor Bridge and Social Club on the corner of Yonge and Bloor?

A. I believe there is a club, or there was a club, up there, sir.

Q. Well, you have been there, haven't you? You have been in the club.

A. I recall one time that - I don't know another in the same one, but there was a club. It was so it, that [illegible] of the [illegible] had gone into what club, was, sir.

Q. Now, I asked you if you have been in that club?

A. Well, I may really recall it that in the club or not, sir.

Q. Well, have you been in a club of Yonge and Bloor?

A. Where is Yonge Street? I don't

know where Walton Street is, sir.

Q. Well, what club have you got in mind?

A. I think it is a club that is across the street from a tavern there. It is the Kamsihar tavern, I think, because I know there were members of the squad that we had been out drinking, and we left this particular night, and went into this club.

Q. Was it over a fish and chips store, or restaurant?

A. Now, I am not sure whether it is. It seems to me it might be that. It seems to me there is a fish and chip --

Q. And did you act as a dealer there one night?

A. A dealer?

Q. Yes, a dealer.

A. Never in my life, sir.

Q. Never in your life?

A. No, sir.

Q. You are quite sure of that?

A. Positive, sir.

Q. Did you take part in any game there?

A. The night we went there, sir, we were thrown out, We were kicked out, sir.

THE COMMISSIONER: Who is we? Who is we?

A. Well, there was, I think Scott,

and I am guessing, but I think there was - I think Scott, Moore, Kopelke, Lamorie - I think there were four or five of us, because it seems to me we had been on a trip out of town and we came back. We were late getting back that night, but we decided to go --

MR. WILSON: Q. What was going on at this club when you were there?

A. I don't recall anything going on at the club, sir.

Q. There was nothing going on, and you didn't take part in any game?

A. No, sir.

Q. No. Now, I have an abstract of the property which you mentioned yesterday, on Goodarham. What is the number?

A. 117 Goodarham.

Q. Yes. Now, I see by this abstract, certified as of the 18th of May, 1962, that by deed dated the 28th of May, 1956, and registered on the 4th of June, 1956, Edward J. Wright and Ruth A. Wright conveyed that property to Robert J. Wright. That is yourself?

A. Yes, sir.

Q. And then two years later, by a mortgage dated the 7th of February, 1958, and registered on the 27th of January, 1958, Edward G. Wright and Ruth A., his wife, gave a mortgage on the property in favour of Lawrence A. Dunlop for $7,953.07. Now, in 1958, Edward G. Wright

and Ruth A. Wright did not own the property, did they? You did?

A. By - not by deed, no. I - my brother took it over on the first of January, 1958, but I still held it. I held it right up until recently.

Q. Yes, so the mortgage that Mr. Dunlop gave --

THE COMMISSIONER: Gave?

MR. WILSON: Well, he was the mortgagee, or took, in 1958, and which was registered, was a worthless mortgage on the basis of that title, wasn't it?

A No. No, sir, because my brother made regular payments to him on it. He is still in the house.

Q. Well, I won't argue about that. From May, 1956, up until the time until you were convicted, it was in your name?

A. That is correct, sir.

Q. Yes, and as of the 18th of May, 1962, the title to that property still is in your name?

A. The property was changed over.

THE COMMISSIONER: Well, look at the abstract.

A. Yes, sir, but it was changed over just recently, sir, and I believe it was in April that it was changed over.

MR. WILSON: Well, whatever change was

made has never been registered, is that --

A. That could be. That could be, sir.

Q. Yes.

THE REGISTRAR: 166.

---EXHIBIT NO. 166: Abstract of title for property at 117 Goderham Drive.

THE WITNESS: The only purpose for it being changed over was so they could arrange for my - to get me out on bail when I was in the Don jail pending my appeal.

MR. WILSON: Well, now, was any money advanced by this mortgage in 1958 when that mortgage was registered?

A. Sir, any money advanced? No, I believe the mortgage was - was renewed. My brother and his wife went and renewed the mortgage.

Q. There is no - there is no - there is no mortgage on the title at all prior to the time your brother bought it? Never was a mortgage until that one was registered in 1958?

A. Oh, yes, sir, definitely, sir. What - I don't know what has happened, but that is for sure, because I made payments to the people on the Danforth.

Q. Well, what was this mortgage in 1958 for?

A. Sir, they had this when they first moved in the house. My brother had the lot.

THE COMMISSIONER: Let me see the abstract.

A. My brother had the property. He bought it there several years. Now, --

THE COMMISSIONER: It was a vacant lot?

A. It was a vacant lot, yes, sir, and he lived in a little shanty that he built on this lot, and the township I believe said that they no longer could live in this little shanty, that it was zoned, or something to that effect. At that he had contracted to build a house there, and the same man built several homes on that street, I understand, sir. Now, then, the money that that - this Dunlop apparently is quite an elderly gentleman. The money - or the lot was used as a down payment on the house to the builder. Now, I don't know who the builder was, but Mr. Dunlop held a mortgage, and Mr. Graham - Mr. Graham on Danforth Avenue, I don't know the address, but it is at Woodbine and Danforth, collected for this Mr. Dunlop, collected the mortgage money,,and the mortgage - there were two mortgages on it; there was a first and second, and then I believe that - I don't know how long, but one was longer than the other, but then when the first mortgage run

out, in other words that had to be renewed, and at that time my brother and his wife, they went down and renewed the mortgage. That would be in 1958, and they combined the whole - the two mortgages together.

CC3/GS

MR. WILSON: Q. In 1958 the abstract shows they were not the owners of the property, you were.

A. Well, it was just one of those things, never got the deed changed.

Q. It is another of those things?

A. Yes, sir.

Q. And you don't know --

THE COMMISSIONER: Dunlop got a mortgage. Do you remember the amount of that mortgage?

A. In '58?

THE COMMISSIONER: Yes, 7,916?

A. That would be about it, sir. There was about $8,000 still owing on the house.

THE COMMISSIONER: And then Dunlop got a mortgage for $7,000 that was not worth anything?

A. I don't know whether it was worth nothing.

THE COMMISSIONER: Well, your brother and his wife gave a mortgage to Mr. Dunlop in 1958. As of that date, they didn't own the property.

A. They renewed the mortgage.

THE COMMISSIONER: I am not talking about the mortgage.

A. Well, sir, you confuse me very easily here, because I don't understand mortgages and mortgagees.

THE COMMISSIONER: Well, look at this, and see if it doesn't make you understand it. In 1954 your brother and his wife acquired the property?

A. Yes, sir.

Q. All right. Now, in 1956, your brother and his wife conveyed it to you.

A. Yes, sir.

Q. Yes?

A. That is correct.

Q. So the title stayed in your name?

A. Yes, sir.

Q. Yes. Then in 1958, your brother and his wife gave a mortgage to Dunlop for $7,953.16.

A. And that is on the same property.

Q. That is on the same property, but in 1958, they, your brother and his wife, didn't own it, you owned it.

A. It was in my name, that is correct, sir.

Q. Yes. Yes. So that the mortgage that was given to Dunlop was a worthless thing?

A. Well, I don't know whether it was worthless, sir.

Q. Well, it was given by people who didn't own the land, that is how worthless it was.

A. They have been paying continuously, and they are still paying.

Q. Well, Mr. Dunlop may want to know something about this.

A. Yes, sir.

MR. WILSON: Q. Did Mr. Dunlop know they were giving a mortgage on property owned by you in 1952?

A. I don't know whether he knew or not, sir.

Q. Was --

THE COMMISSIONER: Did you know?

A. I knew that the mortgage had come up for renewal, and that my brother and his wife had gone down for the renewal, and had renewed it.

THE COMMISSIONER: And had given a new mortgage to Dunlop?

A. That is correct.

THE COMMISSIONER: At the time when you owned the property?

A. Yes, but in reality -- well, according to the deed I did own the property, yes, but --

THE COMMISSIONER: That is all we can say on that.

MR. WILSON: You have told us that when you embarked on these investigations you went to Cronin to try to get a loan from him.

A. Yes, sir.

Q. Why, at that time, when you have already told us you had quite a bit of money on hand?

A. Yes, sir.

Q Why, then, did you need a loan from Cronin?

A. Because I didn't want to use my own money if I could help it.

Q You didn't want to use your own money?

A. If I thought I could borrow it some where, I would be better off.

Q. Now, there are a couple of questions I want to ask you about your finances that are not covered by the schedule that has been put in, or the summary, Exhibit 105. You retained Sol Gebirtig to act for your lady friend in a proposed action for divorce, did you not?

A. Yes. Well, between her and I, we came to that arrangement, yes.

Q. And you paid to Mr. Gebirtig a retainer for his services totalling $200.?

A. Yes. This girl, as a matter of fact I paid it, but it was her money, sir. She was working. It was more convenient for me to go in there, sir.

Q. So, you say, while you went and paid $200 to Sol Gebirtig in 1956, you were just using her money, is that correct?

Q. Why, at that time, when you have already told us you had stolen a box of money on Bunny?

A. Yes, sir.

Q. Why, then, did you need a loan from Dunning?

A. Because I didn't want to use my own money if I could help it.

Q. You didn't want to use your own money?

A. If I thought I would be back in a few weeks, I would be happy to borrow it.

Q. Now, there has a great deal of questions I want to ask you about your finances that are not covered by the accounts that has been put in, or the accounts, Exhibits 1-6. You mentioned my accounts to us the first day that a prosecuted matter for discovery, did you not?

A. Yes. Well, because that was I'm one to that accountant, you.

Q. And you said to Mr. Lowrance a reasonable that has accounts should look?

A. Yes. This girl, as I mentioned to that I could it, but it was her money, sir. She was hurting. It was more convenient for me to go in there, sir.

Q. Now, you say, while you back and would have to get Dunning in that, you came just using her money, in that manner?

A Yes, she gave me the money to pay him. Yes, sir.

(Page 5760 follows)

Q. And, also, there was an investigation by a Fritz investigator in connection with that matter?

A. That is correct, sir.

Q. And the fee there was $200. Did you pay that?

A. I believe we split 50-50, either we split 50-50 on that or from Gebirtig.

THE COMMISSIONER: I didn't get the question. It was what?

MR. WILSON: I asked him if he paid the $200 for the Fritz investigation, they made an investigation in connection with this divorce action.

THE COMMISSIONER: Who were Fritz and Company, private investigators?

MR. WILSON: I would think so.

THE WITNESS: They are in the same office as Mr. Gebirtig.

MR. WILSON: Q.There was paid in respect of that proposed transaction $400. How much did you pay?

A. I would say 50 per cent. It may be not 50 per cent. I forget now, sir ---

Q. There is one other item you bought a ring, didn't you?

A. A ring?

Q. A ring, yes.

A. What kind of a ring?

THE COMMISSIONER: A finger ring.

A. Oh, a finger ring.

Q. What kind did you think he was talking about?

A. I didn't know, sir.

MR. WILSON: What do you understand by ring?

A. That is a ring (indicating) that is a ring, sir.

Q. That is the type -- not necessarily the type of ring, but it is a ring I am talking about. Did you buy one for $200?

A. Yes, I did.

Q. That is also ---

A. That is a wedding ring and engagement ring combination. I bought that, yes, when I was married, or got engaged.

Q. In 1960, you said you tried to retain Mr. Humphrey to act for you in connection with the prosecution against you?

A. Yes, I asked him.

Q. But he didn't want to act?

A. Well, he said he would like to act, but he advised me at the same time that he wouldn't like to.

Q. On June 3rd, 1960, why did you pay David G. Humphrey a thousand dollars?

A. I didn't pay Mr. Humphrey a thousand dollars.

Q. Is this your cheque payable to

Q. Why a Tudor Rose?

Q. Does anyone ever refer to the

Estate Office?

A. I don't know the.

Q. Another thing is that it is

Grade

A. Does it a Grade II building

in a Tudor Style.

Q. Does it not equal on the Commercial

Bus Route of Main, but it is a thing I am worried

about. Did you try one Gas Fire?

A. Yes, I did.

Q. What is also ---

A. There is a modelling thing and dampness

that constitution. I brought that, yes, were

I was assisted, or was engaged.

Q. If Sorry, you made you honor to provide

us, Keeping to not for you in accordance with

the Planning approval plan

A. Yes, I turned down

Q. You on Street Back to Left

A. Yes, we did no would like to see,

but be referred to at the same time that in

Inspect Land Use.

Q. On June 3rd, 1975, May was you in

Grade II Business Property

A. I didn't see, Planning is concerned

Property

Q. In this your change Change to

David G. Humphrey for a thousand dollars, dated June 3rd, 1960?

A. A certified cheque? That is right, sir.

Q. Yes.

A. Would you like me to explain?

Q. What is your explanation?

A. It was made two or three weeks -- maybe not that long, two or three days when Mr. Humphrey informed me he wouldn't act for me. At that I went to Mr. Martin. Now, in the meantime, when I went to Mr. Humphrey, I had cashed -- my wife cashed the bond she had in my safety deposit box, and deposited them in the bank. That is the Bank of Nova Scotia. And I got a certified cheque payable to Mr. Humphrey from those bonds to pay Mr. Humphrey. Now, in the meantime, maybe two or three days later, Mr. Humphrey wouldn't represent me, so then I retained Mr. Martin. Now, then, this cheque I deposited back in the same account, and another cheque was issued to Mr. Martin for a thousand dollars.

Q. When did you deposit this cheque back into your account?

A. It would be in 1960, right within a week or ten days, maybe less than that. I don't recall exactly, it would be in my bank book, though.

Q. Well, that is the story of that cheque?

A. Yes. I will bring my bank book tomorrow and show you, sir.

Q. Now, you made one telephone call from your residence in Belleville to McDermott in March, 1960?

A. Yes.

Q. In fact, it was the only call you made from your own residence to McDermott?

A. Yes, I could have, sir.

Q. And I see you make reference to it in your diary under date of March 13, where on page 10 you say, "I told him ---" being Scott --- "I called him Friday night from my home. He says you should never have done that. He said that we can always explain one phone call from my phone." Now, you recall that to McDermott, you will recall that detail you have recorded in your diary?

THE COMMISSIONER: Do you?

A. I called from my home Friday night, sir.

MR. WILSON: Q. That is what I was talking about.

A. Called Mr. Scott.

Q. And he told you that you should not have done that.

THE COMMISSIONER: I thought he called --- I thought the call was to McDermott?

THE WITNESS: That is what I thought.

MR. WILSON: Q. It was to McDermott.

A. It was to Scott. I called him from my home.

THE COMMISSIONER: What date?

MR. WILSON: March 13 was a Sunday, he said he called Friday night, that would be March 11th.

THE COMMISSIONER: Let me see Exhibit 160.

MR. WILSON: It is on 157, and also ---

THE COMMISSIONER: This isn't the one I want.

THE WITNESS: What is the question now, sir?

MR. WILSON: Q. The question is, why did you go to the Bell Telephone Company and get that toll ticket?

A. I went to the Bell Telephone to get the toll ticket?

Q. Yes.

A. I didn't, sir.

Q. You deny you went to the Bell Telephone Company and got the toll ticket for that call to Scott?

A. I went to the Bell Telephone Company often to check my toll tickets because I thought ---

Q. I am asking you whether you went to the Bell Telephone Company and got that particular toll ticket out?

A. I don't recall that I did, sir.

Q. You don't recall telling Scott that you did?

A. I don't recall telling him that either, sir.

Q. You are prepared to swear you didn't go to get that toll ticket covering the only call you made from your own home?

A. I am not prepared to swear. I am not sure whether I did not not. I am reasonably sure I didn't. I don't remember. I don't believe the Bell Telephone will give you tickets, sir. I don't know. I have often gone there and looked at the ticket.

Q. And you are swearing you did not tell Scott you had gone down to the Bell Telephone and removed that toll ticket?

A. I am --- I am not going to swear, because I don't know whether I can say ---

Q. Are you prepared to say you didn't remove it?

A. I don't recall removing it, sir.

Q. You don't recall removing it?

A. No, sir. And I don't recall this particular incident at all, because as I said, I have gone into the Bell Telephone and done that often, checked my toll tickets, because there are times the wrong tickets -- calls, charged to my phone and shouldn't be charged.

Q. Why would you make that call from your residence when you made all the other calls from pay stations?

A. I don't know why. There is no reason.

THE COMMISSIONER: What was your telephone number?

A. Woodlawn 2 ---

Q. 0028?

A. Pardon? No, it is not Woodlawn 2-0028.

THE COMMISSIONER: Mr. Wilson, you say it is March 11th?

MR. WILSON: I will be leading other evidence to explain it. They couldn't check it through the toll ticket.

THE WITNESS: Woodlawn 2-7505, I think, sir. I am not sure whether that is the number or not.

MR. WILSON: Q. Wright's number was Woodlawn 6-6223.

I will have other evidence to explain this call.

Q. I want to deal with another matter in connection with --- Do you recall being in on an execution of a warrant, the premises of a man, Joseph Leonard Kilderbroom, 1324 Oban Avenue, Cornwall, in 1958?

A. I don't recall --- if there is some incident in connection with it I might recall.

Q. I will just show you Lamorie's report on the incident, and it is dated September 15th, 1958. And in paragraph 5, it speaks of the actual raid of Friday, August 22nd, 1958, at 1:10 p.m. And it reads in part:

"Constable Wright after the question,
" 'Did you have a poker game here last
"night?' Mr. Elderbroom replied: 'Yes,
"just a friendly game.' A thorough search
"of the place was made and the following
"were placed under seizure."

And then follows a list of the different items that were seized on that occasion. Now, that does bring it back to your attention, to your memory?

A. Not too well. I do recall there were raids, there were other raids in Cornwall.

Q. Maybe this will help you. I show you an envelope. Whose handwriting is that?

A. That is in my handwriting.

Q. That is in your handwriting?

A. Hm Hm.

Q. It reads as follows:

"Obscene cards seized from L. Elderbroom,
"Cornwall. Charge Section 176, Subsection 1,
"of the Criminal Code."

And is that your signature?

A. Yes, sir, that is my signature.

Q. R. J. Wright.

THE COMMISSIONER: Now, do you remember the occasion?

A. Yes, I do recall with my signature, I was there.

MR. WILSON: Q. Now, in the list of

documents that were listed as having been seized we won't find any record of these obscene cards, will we?

A. I don't know. There should be a record there, sir.

Q. Well, we will file the report, and if you can find any record of that, of those cards there, you just point it out to me. I think you will find it on the third page of that report.

A. No, I don't see no record of it there, sir.

--- EXHIBIT NO. 167A: Lamoria's report.

MR. WILSON: Q. Just look at those pictures and tell me whether or not you recall them, if those are the pictures you seized on that occasion?

THE COMMISSIONER: Yes or no?

A. I am trying to recall, sir. I believe ---

MR. WILSON: Q. I think if you saw them once you would recall them?

A. Yes. But I believe some of these come from another source, too. I am pretty sure that these cards could have come from there. But these have been ---

THE COMMISSIONER: What are the others you speak about?

MR. WILSON: Q. The cards you speak about

you say these cards, the two Kings and two Jacks and the King of Spades came from there?

A. I believe they did.

Q. And then, the other obscene photographs, did they come from the same place?

A. No, I believe they came -- there were quite a few of them around the office that we had all looked at and were in possession of, and I can't recall whether they came from there, sir.

Q. Then, how was it this envelope with these obscene cards in it were in your possession and seized at the time of the search on your premises on May 28th, 1960?

A. I don't. I can't say why they were there. The only thing I can think they were in my brief case and sometime I was going through it, and they got overlooked, and I was going through my brief case and saw them and probably threw them in the drawer.

Q. They had been in there for two years and you didn't know you had them; is that your story?

A. It could well be. Inspector Graham would testify my bureau drawer is quite messy. I throw all my change in there.

Q. They would certainly add to the mess?

A. As far as the report, I didn't make the report. It is something Constable Lamorie could have overlooked.

Q. How could they get in your possession?

A. As I say, we could have been going down to Court and they were in my brief case with other stuff.

Q. Did they stay in your brief case from 1958 until May of 1960?

A. No. I would say I was going through some stuff and just happened to throw them in my dresser drawer.

Q. That would be your dresser drawer in Toronto in 1958, wouldn't it?

A. No, I am speaking when I got to Belleville. This was in my apartment.

Q. For how long?

A. I would say they could have been there for two years.

Q. In your brief case?

A. In my brief case.

Q. And then when you moved to Belleville at the beginning of 1960 ---

A. Yes, sir.

Q. --- you would take them out of your brief case and put them in your drawer; is that your story?

A. Along with a lot of other stuff. I probably took them out and shovelled it in my drawer.

Q. Is that standard procedure for officers to take home articles seized on these raids and executions of warrants?

A. After the things have been disposed of -- it is not a common procedure, it does happen.

THE COMMISSIONER: Isn't it the regulation that obscene things like this are turned into headquarters and destroyed? You know that regulation?

A. No, I don't know if that is the regulation, sir. I can recall Constable Moore and Constable Scott kept several cards and photographs, and obscene magazines, and they were there for some time, sir.

Q. At headquarters?

A. Yes.

Q. That's where you saw them?

A. Yes.

Q. You took this stuff here to your home. Why did you remove it from headquarters? Why didn't you bring it to headquarters in the first place?

A. I would say I did bring it to headquarters in the first place.

Q. There is no record in the official report, no record of these having been seized. The only way it now turns up they were seized is from your handwriting on the envelope.

A. As I say, they were in my brief case. There is no doubt they were in my brief case, and when a trial came up down there we took all this stuff down we seized. Some stuff we

Q. Either the village have been disposed of — Is it not a general proposition, it does happen.

MR CHAMBERLAIN. Shall it be the negotiation that someone bringing this Bill give towards land transformation and development. The Bill Last regulations.

A. Yes, I don't know of any in the Constitution. I don't think Parliament should and commonly great upon personal manner and personality and economic regulations, and they would have land from other hands, sir.

Q. Is transformation?

A. Yes.

Q. Doesn't matter just one land

A. Yes.

Q. You have with great have to prove land. Are not you aware in fact transformation that doesn't you belong to be transformation in the Crown Lands.

A. I would say I did belong it to transformation in the Crown Lands.

Q. There is no reason in the difficult regards, no record of those getting land around. Has such you it was taken up they were endowed in fact, not transformation on the provinces.

A. So I say, they were in my Lord Crown. There is no Crown land were in my Lord land. and were a total done up down there we have all gone Crown land down in Ontario. Crown Lands on

would leave down there and some we would bring back. And they were probably along with a report in my brief case and were overlooked. And at such time I was in Belleville I probably threw them out.

Q. Why didn't you destroy them then?

A. Well, I thought properly they should have been returned, seeing that no charges were laid. I think I brought it to somebody's attention, probably the Crown should have down there.

Q. You think they should have been returned to the man from whom they were seized?

A. If there is no conviction or prosecution. If there was no prosecution, I believe that was our policy, we would return it after 30 days.

Q. You wouldn't return filthy stuff like that to anybody, would you? Tell me, please, would you?

A. If I was ordered by the Department I would.

Q. You weren't ordered by the Department, you kept all this to yourself?

A. No, I didn't keep ---

Q. Instead of putting it in the dresser drawer why didn't you destroy it then?

A. I didn't think of it.

Q. You didn't think of it?

A. No, sir.

Q. Just one of those things?

A. Yes, it is one of those things, sir.

--- EXHIBIT NO. 167B: Obscene cards.

MR. WILSON: Q. Now, I show you a clipping that was seized on May 28th, 1960. And somebody has printed on here the name Dom Helicopters Limited. Is that your handwriting?

A. It looks like it.

Q. And what is the address?

A. 134 Harbour, I believe.

Q. And what is the telephone number?

A. There is Empire 8-1877 scratched out and Empire, either 6 or 4-3678.

Q. And is that or is that not your handwriting?

A. It looks like it, sir.

Q. Don't you know your own handwriting?

A. It looks like it.

THE COMMISSIONER: Is it or is it not?

A. Where was it seized from?

MR. WILSON: I told you it was seized on May 28th, 1960, in your apartment?

A. It must be my handwriting.

Q. Then, it must be your handwriting?

A. Yes.

Q. What was your connection with Dominion Helicopters Limited?

A. There is no connection in Dominion Helicopters Limited.

MR. WILSON: We will file that.

--- EXHIBIT NO. 168: Newspaper clipping.

MR. WILSON: What is your knowledge of Dominion Helicopters?

A. I believe they fly helicopters, or have helicopters there.

Q. Why did you make a note of it?

A. I can recall Mr. McDermott said they had a helicopter for their mining operation. I didn't believe them, because he had told me they had an aeroplane, and I noted that I was going to check that when I was in Toronto. I never did check it. I forgot about it.

Q. That is your story, McDermott mentioned this company and you had made the note so you could check up on it at some later date?

A. Yes, I was going to check when I was in Toronto.

THE COMMISSIONER: Why?

A. Oh, I just wanted to see if he was telling me the truth or not.

Q. What difference would it make to you?

A. There was a lot of things, sir that didn't quite make sense to me when he told me.

MR. WILSON: Q. What part of the investigation did that fall under?

A. I don't know, sir.

Q. Neither do I.

I think that is all for the moment.

THE COMMISSIONER: Do you want to ask any questions?

MR. MacKINNON: Just on this, and something earlier.

EXAMINED BY MR. MacKINNON:

Q. When did you first meet David Humphrey?

A. When I first met him?

Q. Yes.

A. I had met him in Court cases quite a few years ago, sir, he represented different --- Some of his clients would be clients our squad had charged.

Q. You never talked to him apart from those Court cases prior to your own arrest?

A. Never, sir, not other than in these Courts.

Q. What made you call him as your Counsel?

A. What made me call him as my Counsel?

Q. Yes?

A. My brother called him, sir.

Q. Why did your brother call him?

A. Because he seen he was quite a prominent lawyer representing different policemen.

Q. Are you saying you did not tell your brother to get David Humphrey?

A. No, sir. The Night I was arrested in Toronto I was allowed to make a phone call, and Inspector Graham was present. And I phoned my brother and explained to him about bail, I would have to get bail, that I was under arrest. And as far as I know ---- In fact, I know he did, he told me he phoned.

Q. That he phoned?

A. That he had phoned Mr. Humphrey.

Q. And it is just a coincidence you happened to end up with Humphrey after you have now admitted you did mention to Police Constable Scott that Feeley, McDermott and Humphrey owned a gold mine up north?

A. I would say it was absolutely coincidence, sir.

Q. Just a coincidence?

A. As a matter of fact, I didn't tell my brother about Mr. Humphrey.

Q. Now, this Dominion Helicopters, are you telling us that the elaborate notation was only made because in one of the many conversations you had with McDermott he happened to mention that he had a helicopter?

A. Yes, sir.

Q. What did Dominion Helicopters have to do with that?

A. It seems to me he told me, it seems

to me he told me he rented a helicopter from Dominion Helicopters. I can't recall exactly, but I think the name of Dominion Helicopters came up.

Q. Why would you check up on this, you just finished telling us you were not really interested in McDermott, that is why you didn't make any notes, why would you check up on something so esoteric and remote as this?

A. I can't tell you why I did that, sir, I don't know.

Q. It is just inexplicable?

A. Just one of those things.

Q. Can't think of anything that would be a logical explanation?

A. I told you my explanation. I didn't know whether to believe him, he was telling me about aircraft, the helicopter. When he mentioned the helicopter, that is when I thought I would look into the helicopter business.

THE COMMISSIONER: Did you?

A. No, I never got a chance to. So ---

MR. MacKINNON: Q. He even gave the address and telephone number?

A. Pardon?

Q. He even gave the address and telephone number?

A. No, I would say I look that up myself.

MR. WILSON: Could I see that a second? There may be one more question.

EXAMINED BY MR. WILSON:

Q. Now, what are the particular sale items that appear on that clipping? Were they properties your were interested in? One is for sale, a cabin for a thousand dollars. Were you interested in that one?

A. I don|t recall that I was.

Q. Why did you clip it out?

A. I would think I probably wrote it down on the bottom of a newspaper. It doesn't look like a clipping, it looks torn to me.

Q. Did you ever visit any of these ---

A. What is on the other side of that, sir?

Q. ---prospective cabin sites in a helicopter?

A. Did I ever what, sir?

Q. Did you ever visit any of these prospective cabin sites in a helicopter? The prospective cabin sites you were thinking of purchasing, in a helicopter?

A. That I was purchasing?

Q. You bought two properties you told us about.

Q. No, I would say I lean back to [illegible]

MR. WILLIAMS: Would I see that a moment? There may be one more question.

<u>Cross-examination</u>

Q. Now, what was the particular [illegible] that caused you to [illegible] more than proportion your work indoors and [illegible] for a [illegible] [illegible]. Have you indicated in that case?

A. I doubt really that I was.

Q. Why did you also [illegible] over?

A. I would think I probably wrote it down on the bottom of a newspaper. It doesn't look like a [illegible]. It looks [illegible] to me.

Q. Did you ever write any of them ---

A. [illegible]

Q. ---[illegible] outside notes in a [illegible]?

A. Not I ever think, sir.

Q. Did you ever write any of those [illegible] outside notes in a [illegible]? The [illegible] notes when you were thinking of [illegible]. In a [illegible]?

A. Then I was [illegible].

Q. You brought two [illegible] you [illegible] to [illegible].

A. I bought one property ---

Q. I asked you whether you ever used a helicopter to visit any of these properties?

A. No.

Q. Did you ever have a ride in any of the helicopters at Dominion Helicopter?

A. I have never been in a helicopter in my life.

Q. Did McDermott offer you a ride if you wanted one?

A. Never, sir.

Q. When did you make that notation?

A. I don't know, sir, it was sometime during the investigation. I don't know when I made it.

MR. WILSON: That is all, thank you. That is all for the moment. We will want you back at 10 in the morning.

THE COMMISSIONER: You will be required to be back at 10 in the morning.

--- The witness retired.

MR. WILSON: I will call Inspector Graham.

INSPECTOR GRAHAM, recalled

EXAMINED BY MR. WILSON:

Q. You have already been sworn.

A. Yes, sir.

Q. And you are one of the officers who

Q. I thought you promised ---

Q. I asked you whether you ever used a medicine to which any of these preparations

A. No.

Q. Did you ever have a rash in any of the medicines or Sanitation Helicopter?

A. I have never been in a helicopter now life.

Q. Did someone after you a view if you remember that?

A. Sorry, sir.

Q. Even did you make that testimony?

A. I don't know, sir, it was something during the investigation. I don't know this may 19.

MR. MCCOY: That is all, Sergeant Jones. That is all for the moment. We will ask you back at 10 in the morning.

THE COURTROOM CLERK: You will be required to be back at 10 in the morning.

--- The witness retired.

MR. MCCOY: I will call Sergeant Gaudet.

[illegible]

A. [illegible]

Q. [illegible]

A. [illegible]

Q. [illegible]

arrested Wright on May 28th, 1960?

A. Yes, sir.

Q. And you were one of the officers who conducted the search of his apartment at that time?

A. Yes, sir.

Q. Who was with you at that time?

A. Inspector Genno, Harold Genno of the Metropolitan Police.

THE COMMISSIONER: What is the name?

A. Harold Genno, and he spells it G-E-N-N-O, sir. And Inspector Devereux, who was then stationed at Belleville, the Ontario Provincial Police.

MR. WILSON: Q. How was the search carried out?

A. The three of us, the three officers Genno, Devereux and myself accompanied Wright to Wright's apartment, 44 Highland Avenue. Wright was under arrest. We arrived at the apartment on Saturday, May 28th, at 9.30 a.m.

Q. You were present, I believe, when the last witness, Wright, gave his evidence in this matter?

A. Yes, sir.

Q. And did you hear his statement to the effect he had some second diary with notations after April 22nd, 1960, in a carton in the clothes closet at the rear, at the

back of the apartment?

A. Yes, sir.

Q. Now, what do you say as to that statement?

A. Inspector Genno and I searched that closet and we found no notebook, nor any other reports that he has described in the witness box.

Q. And if such a document had been located in that clothes closet at the back of the hall, or at the end of the hall, would you have found it?

A. I believe so, we were there two hours, and it was only a small apartment. There was a living room and a kitchen, bathroom, one bedroom and two closets.

Q. Was there any problem of seeing what was in that closet at the end of the hall?

A. No, sir.

MR. WILSON: That is all, thank you.

THE COMMISSIONER: Any questions?

MR. WILSON: Oh, there is one other thing, while you are here.

Q. You took a statement -- or made notes of the statement made by Wright at the time of his arrest?

A. Yes, sir.

Q. And did you ask him whether or not he knew Joe McDermott?

A. Yes, I did.

room of the apartment?

A. Very nice.

Q. Now, what do you say as to that statement?

A. Inspector Gunne and I searched your closet and we found no notebook, nor any other reports that he had described in his witness stand.

Q. Did it seem a thousand and seven located in that clothing closet at the back of the hall, or at the end of the hall, which you have found it?

A. I believe so, we were there two years, and it was only a small apartment. There was a living room and a kitchen, bathroom, one bedroom and two closets.

Q. Was there any question of nothing what was in that closet at the end of the hall?

A. No, sir.

Mr. Fleming: That is all. Have you.

The Coroner: Any questions?

Mr. Fleming: Mr. Grimm is one minute, while you are gone.

Q. You took a statement -- he made notes of the statement with Mr. Bolger in the presence of the attorney?

A. Yes, sir.

Q. And did you ask questions or ask he been the statement?

A. Yes, I did.

Q. And what was his reply?

A. He replied, "I hardly know Joe McDermott at all."

Q. And did you ask him whether or not he ever called McDermott or anyone else, or --- Just leave it at that --- Did you ask him if he had ever called McDermott from Belleville?

A. Yes, sir.

Q. And what was his reply?

A. He said he did not.

MR. WILSON: I think that is all, thank you.

MR. MacKINNON: There is one question, Mr. Commissioner.

EXAMINED BY MR. MacKINNON:

Q. Did he point out this diary or notebook to you?

A. No, sir, I found it in the top dresser drawer of his bedroom.

Q. That is Exhibit 157. And did he suggest to you that you should sit down and read it?

A. No, sir, he saw me reading it.

Q. Did you make any comment to him about it?

A. I asked him if he had made this notebook up himself, and he said he did.

Q. And did he mention at that time he had any other notebook?

A. No, sir, he did not.

Q. Did you make any slighting remarks about this notebook to him at that time?

A. No, sir, I didn't make any remarks about the notebook. Inspector Genno pointed out to me Wright looked rather pleased I was looking through the notebook.

Q. You actually were looking through it then?

A. Yes.

Q. But despite the pleased look he didn't, you swear, tell you about any other notebook on the premises?

A. No, sir. I might say, there were four hard covered looseleaf books found in the drawer besides the others we have mentioned.

Q. Are these his early diaries?

A. No, small ones the officers carry in their uniforms.

Q. Did they also have entries or empty?

A. Some of them had entries in them regarding traffic.

MR. MacKINNON: I see. Fine, thank you.

--- The witness retires.

A. Yes, sir, on the 1st.

Q. Did you have any difficulty keeping your ditch sections in the dry ditch?

A. No. Mr. Jones I didn't use any pumps during the excavation. Operation based entirely was by the flight levered scraper pulled I was following towards the pumphouse.

Q. The actually were letting through it?

A. Yes.

Q. And during the pumping here in Grade's, pumpers, will you about any other motorists on the premises?

A. No, sir. I might say, there were very few had received Inactive Base Pass in the Bonus Battle the coming to look inspection.

Q. You know the well were discovered?

A. Yes, sir, I was the efficient very in some salvage.

Q. And they also were arrested in Valley?

A. Some of them had overdue in been suspicious traffic.

Q. Mr. Jones, I also, Vito, show you.

— The witness exits.

MR. WILSON: I was going to call Inspector Devereux, but it is five o'clock, and he is a short witness, and possibly we can deal with him before we call Wright.

--- Whereupon the hearing adjourned at 5:00 p.m.